



**NOTICE OF A WORK AND REGULAR SESSION
OF THE VINEYARD CITY COUNCIL MEETING
March 28, 2018 at 6:00 PM**

Public Notice is hereby given that the Vineyard City Council will hold a Work, and Regular Session of the Vineyard City Council meeting on Wednesday, March 28, 2018, at 6:00 pm in the Vineyard City Hall, 240 East Gammon Road, Vineyard, Utah. The agenda will consist of the following: [\(clicking on the blue wording will take you to the documents associated with the agenda item.\)](#)

AGENDA

WORK SESSION

1. CALL TO ORDER

2. INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

- 3. OPEN SESSION – Citizens’ Comments** (15 minutes)
“Open Session” is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three minutes. Because of the need for proper public notice, immediate action **cannot** be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda, however, the Council may elect to discuss the item if it is an immediate matter of concern.

4. MAYOR AND COUNCILMEMBERS’ REPORTS/DISCLOSURES/RECUSALS

5. STAFF AND COMMISSION REPORTS

- City Manager/Finance Director – Jacob McHargue
- Public Works Director/Engineer – Don Overson
- City Attorney – David Church
- Utah County Sheriff’s Department – Sergeant Holden Rockwell
- Community Development Director – Morgan Brim & Planning Commission – Chair Cristy Welsh
- City Recorder – Pamela Spencer
- Building Official – George Reid
- Water/Parks Manager Sullivan Love - Timpanogos Special Service District - Board Member

6. DISCUSSION ITEMS

No items were submitted.

REGULAR SESSION

7. MAYOR'S APPOINTMENTS

No names were submitted.

8. CONSENT ITEMS

- a) Approval of the February 28, 2018 City Council Meeting Minutes
- b) Approval of the March 14, 2018 City Council Meeting Minutes
- c) Approval of the WatersEdge Willows Final Plat D
- d) Approval of the WatersEdge Parkside Final Plat D
- e) Approval of Property Realignment Requests

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Waters Edge Hamptons Preliminary Plat and Hamptons Final Plat B

(15 minutes)

The applicant is proposing an amended preliminary subdivision plat to accommodate the proposed church parcel of the Water's Edge Hamptons development. The proposed development consists of a total 93 SFD lots and 1 parcel for a church, located at 300 West and 200 North and the final approval for Hamptons Plat B. The mayor and City Council will take appropriate action. *(recommended motion: I move to approved the Hamptons Preliminary Plat and the Hamptons Final Plat B with the conditions noted in the reports)*

9.2 DISCUSSION AND ACTION - Municipal Code Amendment Ordinance 2018-03

(15 minutes)

City Building Official George Reid will present a request for an amendment to Title 2 formerly Chapter 10 of the Municipal Code to create an Administrative Code Enforcement (ACE) program. The mayor and City Council may act to approve (or deny) this request by ordinance.

10. CLOSED SESSION

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of:

- (a) discussion of the character, professional competence, or physical or mental health of an individual
- (b) strategy sessions to discuss collective bargaining
- (c) strategy sessions to discuss pending or reasonably imminent litigation
- (d) strategy sessions to discuss the purchase, exchange, or lease of real property
- (e) strategy sessions to discuss the sale of real property

11. ADJOURNMENT

This meeting may be held electronically to allow a councilmember to participate by teleconference.

The next regularly scheduled meeting is April 11, 2018.

The Public is invited to participate in all City Council meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder at least 24 hours prior to the meeting by calling (801) 226-1929.

I the undersigned duly appointed Recorder for Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Salt Lake Tribune, posted at the Vineyard City Hall, the Vineyard City Offices, the Vineyard website, the Utah Public Notice website, and delivered electronically to city staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON: March 27, 2018

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer

PAMELA SPENCER, CITY RECORDER

MINUTES OF A WORK AND REGULAR SESSION
OF THE VINEYARD CITY COUNCIL MEETING
240 East Gammon Road, Vineyard, Utah
February 28, 2018 at 6:00 PM

Present

Mayor Julie Fullmer
Councilmember John Earnest
Councilmember Tyce Flake
Councilmember Chris Judd

Absent

Councilmember Nate Riley

Staff Present: City Manager/Finance Director Jacob McHargue, Treasurer Mariah Hill, Public Works Director/Engineer Don Overson, Assistant City Engineer Chris Wilson, Sergeant Holden Rockwell with the Utah County Sheriff's Department, Community Development Director Morgan Brim, City Planner Elizabeth Hart, Water/Parks Manager Sullivan Love, Building Official George Reid, City Recorder Pamela Spencer, Planning Commission Chair Cristy Welsh

Others Present: Planning Commission members Anthony Jenkins, Jeff Knighton, Bryce Brady, Stan Jenne, and Shan Sullivan, Heritage Commission Chair Tim Blackburn, residents David Lauret, Sherry Teschner, farmer Paul Opfow, Jeff Gochmour, John West, and Eric Gaoiran with Cottonwood Partners, Stewart Park with Anderson Geneva

6:00 PM WORK SESSION

Mayor Fullmer opened the meeting at 6:00 PM. Councilmember Flake gave the invocation.

OPEN SESSION – Citizens' Comments

Mayor Fullmer called for public comments. Hearing none, she closed the public session.

MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Flake reviewed the legislative bills that would affect municipalities. He said that at the Lake Commission meeting he attended, there was a report about a project to dredge the lake and add infrastructure, etc.

Councilmember Judd reported that he attended an Economic Summit held in Utah County. He gave a summary from the meeting. Highlights were:

- Utah still leads the nation in terms of job growth
- Unemployment rates are continuing to drop
- More people moving in than out
- Strong wage growth
- Rising interest rates
- Job market growth moderating
- Cannot keep up with housing

Councilmember Judd felt that including Vineyard in the Silicon Slopes demographic would be key to getting good employers here. Mr. Brim mentioned that with low unemployment the overall growth would start to taper off.

Mayor Fullmer asked council and staff to let her know if there were any boards that they wished to sit on. She reported that she had been able to network with the state legislators. She mentioned that she would be sitting on a panel for the Homeowners Association where she would be able to talk about Vineyard. She suggested that council and staff attend the breakfast meetings that were being held on Saturday mornings to network with legislators. She reported that new carpet had been installed in the café library at City Hall.

STAFF REPORTS

City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that HB 175 had passed out of the house and was going to the Senate. From a policy standpoint, the city needed to oppose it. He suggested that everyone reach out to the senators. There was a discussion about the bill.

Mr. McHargue reported that Republic Services would be changing the garbage collection days. He said that the garbage pickup day would change from Tuesday to Wednesday to help with the growth they were experiencing in the county. For now, they would leave recycling on Tuesday. He said that this would be effective April 1. He said that Reese with Republic Services wanted to remind everyone that the residents didn't have a garbage time but a garbage day.

Mr. McHargue mentioned that there would be an amendment for the 2017-2018 Fiscal Year Budget at the next council meeting. He reported that staff had met with Orem to discuss the future fire station location. He said that they were looking at the northeast side of the city.

Mr. McHargue reported that staff was working on contracts with Lindon for an easement for Rocky Mountain Power and a shared utility agreement.

Public Works Director/Engineer – Don Overson – Mr. Overson had no new items to report. Mayor Fullmer mentioned that residents had been asking about the city providing street sweepers. Mr. Overson explained that they required the developers to clean up the streets and now the city needed to take care of subdivisions that were built out. He said that they were looking at contracting with someone to come in and clean the streets. He explained that most of the complaints were coming from residents who were living in subdivisions that were still being built. He said that if he had accurate information then he could have staff take care of it as quickly as possible. There was a discussion about the Stormwater Pollution Prevention Plan (SWPPP).

Mayor Fullmer mentioned that they had had discussions about parking, snow removal and if streets were public or private. Mr. Overson said that he would color code the city map with the street designations and put it on the website.

Councilmember Judd asked if there had been any progress made in changing the right turn only lane on the Vineyard Connector at Geneva Road going east to a right turn and through lane. Mr. Overson explained that he had requested that UDOT look at it and UDOT felt that there was not enough traffic. He said that he had requested that UDOT look at it again.

Mayor Fullmer asked about the street lights on 400 and 460 North. Mr. Overson replied that the lights had been installed and that they were waiting for power connections. Mr. McHargue remarked that there had been a work order issued.

99 City Attorney – David Church – Mr. Church was excused.

100
101 Utah County Sheriff’s Department – Sergeant Holden Rockwell – Sergeant Rockwell had no
102 new items to report. Mayor Fullmer thanked the Sheriff’s Department for the work they did on
103 the day it snowed.

104
105 City Recorder – Pamela Spencer – Ms. Spencer had no new items to report.

106
107 Building Official – George Reid – Mr. Reid reported on the development and building bills in
108 the legislature. He reported that the basement finish was expected to be completed by the end of
109 March.

110
111 Water/Sewer Operator Sullivan Love – Mr. Love gave a brief history of the Timpanogos Special
112 Service District (TSSD). He explained that the TSSD manager was resigning after 10 years as
113 the manager with 30 plus years of service.

114
115 Mr. Love mentioned that there was a company that had a renewable energy idea that would use
116 green waste and turn it into energy with the potential to use wastewater as well.

117
118 Community Development Director – Morgan Brim and Planning Commission Chair Cristy
119 Welsh – Ms. Welsh reported that the Planning Commission was working on an amendment to
120 the drive-thru code. She stated that they would need outside help to work on the General Plan.
121 Mr. McHargue explained that the cost for the outside help was part of the proposed budget
122 adjustment.

123
124 Mr. Brim reported that he had attended a Mountainland Association of Governments (MAG)
125 Roundtable Economic Development Luncheon. He said that they spoke with the Aviation State
126 Board who was doing an analysis of every airport in the state. He noted that there were 47
127 airports in Utah. He said that they would be interviewing every city being served by these
128 airports. He mentioned that airports were the gateway to economic development.

129
130 Mr. Brim reported that there was a 100,000 square foot office and warehouse facility being built
131 in the northern area of Vineyard. He mentioned that he had been approached by an entertainment
132 company who wanted to do a large venue such as a family fun center. He noted that Milltown
133 had buildings C & D going through the site planning process. He said that O’Reilly’s Auto Parts
134 was in the process of preparing their site plan. He anticipated that Starbucks would be going
135 through the development process soon.

136
137 He reported that he had met with Lindon in regards to a 15-acre parcel they were selling. He said
138 that Knight West who was doing a development in the Vineyard industrial area would be
139 purchasing about 10 acres for development and leaving 5 acres for a park and trailhead.

140
141 **DISCUSSION ITEMS**

142 No items were submitted.

146
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148 **MAYOR'S APPOINTMENTS**

149 Planning Commission.....2 vacancies

150
151 Mayor Fullmer turned the time over to Community Development Director Morgan Brim.

152
153 Mr. Brim introduced the candidates who were being recommended to fill the vacant planning
154 commission positions. He said that the recommendation was to promote commission members
155 Bryce Brady and Jeff Knighton from the alternate position to regular position and appoint
156 Stanley Jenne and Shan Sullivan as alternate members.

157
158 Residents Shan Sullivan living on 460 North, Stanley Jenne living in The Shores subdivision,
159 Jeff Knighton living in the Concord Apartments and building a house in the Cascade subdivision,
160 and Bryce Brady living in The Elms subdivision each introduced themselves.

161
162 Councilmember Judd noted that it was nice to see that the commission had representation from
163 throughout the city.

164
165 **CONSENT ITEMS**

- 166 a) Approval of the January 19, 2018 City Council Retreat Minutes
167 b) Approval of the January 24, 2018 City Council Meeting Minutes
168 c) Approval of Purchases

169
170 Mayor Fullmer called for a motion.

171
172 **Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE THE CONSENT ITEMS.
173 COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER,
174 COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER
175 RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

176
177
178 **BUSINESS ITEMS**

179 **9.1 DISCUSSION AND ACTION – MAG Pre-disaster Hazard Mitigation Plan Resolution**
180 **2018-02**

181 City Manager Jacob McHargue will present the Mountainland Association of Governments'
182 Hazard Mitigation Plan. The mayor and City Council will take appropriate action.

183
184 Mayor Fullmer turned the time over to City Manager/Finance Director Jacob McHargue.

185
186 Mr. McHargue explained that Mr. Overson had been involved with MAG in updating their
187 Hazard Mitigation Plan for the county. He stated that staff was asking the council to accept this
188 plan. He said that Mr. Overson had helped to evaluate their plan for Vineyard and the only
189 concern was liquefaction.

190
191 Councilmember Judd asked if there was anything the city could do about liquefaction. Mr.
192 Overson explained that the most important thing that could be done was how the homes were
193 built. There was a discussion about liquefaction.

194
195 Councilmember Judd noted that there was a section on the north side of the lake, in Vineyard,
196 that had a fire potential and asked how the city would mitigate it. Mr. McHargue replied that the

city had signed an agreement with the state and other organizations that allowed them to coordinate their efforts to clean up the area.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO ADOPT THE MOUNTAINLAND PRE-DISASTER HAZARD MITIGATION PLAN RESOLUTION 2018-02. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.2 DISCUSSION AND ACTION – Naming of Public Lands and Facilities Policy and Application

Heritage Commission Chair Tim Blackburn is requesting approval of the Naming of Public Lands and Facilities Policy and Application. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to Heritage Commission Chair Tim Blackburn.

Mr. Blackburn gave a brief report on the Heritage Commission and the Heritage Foundation. He stated that they were able to receive donations from the community. He said that the second annual Heritage Day celebration was scheduled for May 12. Mayor Fullmer asked if the commission needed anything from the city. Mr. Blackburn responded that he had already been working with staff but they were open to donations. He said that the foundation would be distributing letters to solicit donations from the businesses in and surrounding Vineyard to help with the foundation.

Mr. Blackburn mentioned that they had been working on relocating the vintage farm equipment and thanked the staff for their help.

Mr. Blackburn reviewed the proposed Naming of Public Lands and Facilities Policy and Application. The policy would include a process that would have it vetted and reviewed by staff. It would then go to the Parks and Trails Committee for approval before being presented to the council for approval.

Mayor Fullmer called questions. Hearing none, she called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE NAMING OF PUBLIC LANDS AND FACILITIES POLICY AND APPLICATION. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.3 DISCUSSION AND ACTION – Lease of 11-Acre Parcel

City Manager/Finance Director Jacob McHargue will present a proposal for the use of the 11- acre parcel west of Gammon Park. The mayor and City Council will take appropriate action.

Mr. McHargue asked for direction from the council on the leasing of the land. He gave a brief background on the use of the property and purchase of the 11-acre parcel from the Robins family. He explained that staff would like to keep the land in the greenbelt for the next couple of

years for tax purposes. He noted that there was a farmer who would potentially like to lease the land.

Mayor Fullmer asked how the contract would work if there was a future project that the city wanted to start sooner. Councilmember Judd and Mr. McHargue both agreed that the lease would be an annual contract.

Councilmember Judd asked if the city had purchased the water rights. Mr. Overson replied that they were in the process of proofing the water rights.

Motion: COUNCILMEMBER JUDD MOVED TO MOVE FORWARD WITH THE ANNUAL LEASE AGREEMENT ON THE 11-ACRE PARCEL THAT WAS JUST PURCHASED BY THE CITY. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.4 DISCUSSION AND ACTION – Municipal Code Amendment

City Recorder Pamela Spencer will present an ordinance to amend the Municipal Code to add parking restrictions during winter months. The mayor and City Council may act to approve (or deny) this request by ordinance.

Mayor Fullmer explained that this amendment was for snow removal. She asked if there were any questions.

Councilmember Judd felt that a survey should be done before they approved a snow removal ordinance. He also requested that signs be installed during the winter months. He suggested that the parking ordinance could affect not only snow removal but street sweeping as well.

Mayor Fullmer felt that they needed to consider that they did not have an ordinance for removal of vehicles when it snowed. She stated that they needed to approve something tonight and then they could amend it later.

Sergeant Rockwell said that without an ordinance the Sheriff's department could not tow vehicles unless they were parked illegally. He stated that they would knock on doors before they towed the cars.

Mayor Fullmer explained that after the last snow storm cars were getting stuck in the road because snow plows could not get through because cars were parked on the streets. She felt that there needed to be another option if the deputies knocked on doors and no one was home. Sergeant Rockwell noted that they could tow the cars if they were in a travel lane and if there was an emergency and the emergency vehicles could not get through.

Councilmember Flake asked if, as it was written now, there was no clause for towing.

Ms. Spencer read the recommended ordinance, which included a clause for removing vehicles. Mayor Fullmer explained that the reason for the alternate recommendation was to allow subdivisions that did not have adequate parking a way to still park on the street.

Resident Anthony Jenkins living in the LeCheminant subdivision noted that every family home had four parking stalls for off-street parking. Mayor Fullmer mentioned that they could adjust the ordinance to state "only when it snows." Councilmember Earnest liked the idea of a blanket

statement rather than an odd and even day and that they also include signage. He felt that something needed to be done.

Mayor Fullmer stated that she liked the simple solution of getting the cars off of the roads when it was snowing and towing cars if they were not moved and then get the survey out to see what would work for the communities.

Councilmember Earnest reiterated that they would be approving a code now and then adjust it later.

Ms. Spencer explained that they could separate out each subdivision in the code. Mr. Overson explained that the roads were narrow in most of the subdivisions. He felt that they should make it a rule across the board.

Resident Cristy Welsh living in the Parkside subdivision asked if it was possible to do a time-frame for parking restrictions. Councilmember Earnest replied that the recommended code already stated no parking from 12:00 AM to 8:00 AM.

Councilmember Flake asked what the recommended code was. Councilmember Earnest asked if they were going to approve the code as recommended with the ability to amend as needed. Ms. Spencer explained that they did not have to include the ability to amend the code in the motion but could just amend it at a later date. Councilmember Earnest stated that he liked the way the ordinance was written.

Councilmember Judd felt that council was weighing the concern of allowing people to park on the street or not. He felt that adopting the code as written would be prudent and then get the information out to the residents as soon as possible. He also felt that there needed to be some leeway until they were able to get the word out. Sergeant Rockwell commented that the deputies would always try to contact the owners of the vehicles first before towing.

Mr. McHargue stated that they would put it out on social media and the Everbridge notification system. He explained that the system would send out texts, phone calls, and emails, and depending on how the notification was set up, residents may need to respond that they had received the message. Residents could get several notifications until they responded. He mentioned that most people were signed up through their utility account. Mayor Fullmer noted that they had put out a notice to sign up for the service and could repost it. Mr. McHargue commented that when they first started the program they had about 1600 individuals signed up and now there were about 1900. He explained that anyone could sign up through the website. There was further discussion about the noticing system.

Mayor Fullmer suggested that the council start thinking about questions they would like included on the survey. She mentioned that staff already had a survey draft that council could review and add their comments to. She then called for a motion.

Motion: COUNCILMEMBER EARNEST MOVED TO ADOPT ORDINANCE 2018-01 AMENDING THE VINEYARD MUNICIPAL CODE TO INCLUDE A PROHIBITION ON CERTAIN WINTER TIME PARKING TO HELP FACILITATE SNOW REMOVAL WITHIN THE CITY AS WRITTEN. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

352 **9.5 DISCUSSION AND ACTION – Center Street Overpass Permit**

353 City Manager/Finance Director Jacob McHargue will present the steps necessary to obtain a
354 permit for the Center Street Overpass to cross the Union Pacific Railroad tracks. The mayor
355 and City Council will take appropriate action.

356
357 Mayor Fullmer turned the time over to City Manager/Finance Director Jacob McHargue.

358
359 Mr. McHargue noted that this was the biggest project that they had undertaken in the last five
360 years. He said that he had taken the information from the retreat and looked into possible funding
361 sources. He believed that they had the funding figured out so that they could start the project this
362 year. He explained that the permit, once acquired, would only last a year. There was a discussion
363 about the permit process.

364
365 Mayor Fullmer stated the if the council had any questions or concerns they could wait to approve
366 the permit until after the budget discussion.

367
368 Councilmember Judd asked if this was an approval to spend the \$60,000 or to apply for the
369 permit. Mr. Overson replied that they had to sign a contract for a certain dollar amount just to
370 start the review process and then they could apply for the permit. He said that it could take a
371 couple of months to obtain the permit.

372
373 Mr. McHargue stated that the city had the air rights to an overpass but did not have the permit.
374 Mr. Overson explained that they obtained the air rights at two different locations when they gave
375 up the 400 North at-grade crossing. There was further discussion about the air rights.

376
377 Councilmember Judd stated that he felt comfortable about moving forward but wanted to
378 understand the financing for the construction of the overpass. Mr. McHargue explained that they
379 currently had about \$4 million in the General Fund for unbalanced capital projects. He said that
380 they were estimating over \$2 million in impact fees. He said that the project was intended to be a
381 joint project with the RDA and had received approval from the state to use their loan for this
382 project. He said that they would pay the balance of the cost with RDA funds, which could be a
383 loan and be paid back with impact fees. He noted that they could fund the entire project from the
384 RDA and then the city could pay it back. There was further discussion about how to fund the
385 project.

386
387 **Motion:** COUNCILMEMBER FLAKE MOVED TO APPROVE THE SPENDING OF THE
388 \$60,000 FOR THE APPLICATION TO UNION PACIFIC TO START THE PROJECT.
389 COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER,
390 COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER
391 RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

392
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394 **CLOSED SESSION**

395 No closed session was held.

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398 **ADJOURNMENT**

399
400 Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER JUDD MOVED TO ADJOURN THE MEETING AT 7:26 PM.
COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER,
COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER
RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is March 14, 2018.

MINUTES APPROVED ON: _____

CERTIFIED CORRECT BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER

MINUTES OF THE
VINEYARD CITY COUNCIL MEETING
240 East Gammon Road, Vineyard, Utah
March 14, 2018 at 6:00 PM

Present

Mayor Julie Fullmer
Councilmember John Earnest (6:04 PM)
Councilmember Tyce Flake
Councilmember Chris Judd

Absent

Councilmember Nate Riley

Staff Present: City Manager/Finance Director Jacob McHargue, Public Works Director/Engineer Don Overson, Assistant City Engineer Chris Wilson, City Attorney David Church, Sergeant Holden Rockwell with the Utah County Sheriff's Department, Community Development Director Morgan Brim, City Planner Elizabeth Hart, City Recorder Pamela Spencer, Building Official George Reid, Water/Parks Manager Sullivan Love, Planning Commission Chair Cristy Welsh

Others Present: Jim Phelps, residents Anthony Jenkins and David Lauret, Resident and Youth Council Advisory Jim Welsh, Bronson Tatton with the WatersEdge development.

6:00 PM WORK SESSION

Mayor Fullmer called the meeting to order at 6:00 PM. Councilmember Judd gave the invocation.

OPEN SESSION – Citizens' Comments

Mayor Fullmer opened the public session.

Jim Phelps, running for Utah County Sheriff, introduced himself and briefly reviewed his qualifications.

Councilmember John Earnest entered the meeting at 6:04 PM.

Mayor Fullmer called for further comments. Hearing none, she closed the public session.

MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Judd reported on attending the Utah Central Association of Realtors meeting, where he gave an update on the city. He added that Mayor Fullmer and Mr. McHargue also attended this meeting. He noted that they received positive feedback.

Councilmember Flake reported that the state legislative session had ended. He noted that there were a few small bills that were passed that he felt would not affect the city.

51 **STAFF REPORTS**

52 City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that there was good
53 news from the legislative session. He stated that the Vineyard FrontRunner station had received a
54 grant and that they would be able to get the project started as soon as July 1. He said that the city
55 had been meeting with UTA, UDOT, and MAG to get the process going. He said that the project
56 would cost around \$5 million. He added that this would give the city some flexibility in the
57 design of the station, etc. He reported that he had met with Geneva Nitrogen and they were ready
58 to move their RDA application forward. He noted that this would be on the RDA agenda for the
59 first meeting in April. Mr. Overson commented that Geneva Nitrogen had committed to be out of
60 the fertilizer business by 2019. Mr. McHargue said that Geneva Nitrogen would be willing to
61 forgo any connection to rail. He noted that Geneva Nitrogen was working with Union Pacific on
62 their alignment with 1200 North, which would help with the Geneva Road Access Management
63 Plan. He reported that he would be attending the North Pointe Solid Waste Special Service
64 District conference. He reported that staff had received an updated Union Pacific agreement.
65 Mayor Fullmer requested that staff send a thank you note for the grant.

66
67 Public Works Director/Engineer – Don Overson – Mr. Overson reported that staff had received
68 an acknowledgment from Union Pacific that they had received the City's permit application for
69 the Center Street overpass. He reported on the Central Utah Water Project (CUP) pipeline
70 project. He said that the water line would go from the Alloy Apartments along the east side of
71 the railroad tracks to 400 North, west under the railroad tracks and then north along the tracks,
72 under the overpass at the Vineyard Connector, and almost to 1600 North. He suggested that
73 residents go to www.thewellsatvineyard.com to review the project.

74
75 City Attorney – David Church – Mr. Church was not present at this time.

76
77 Utah County Sheriff's Department – Sergeant Holden Rockwell – Sergeant Rockwell had no
78 new items to report.

79
80 Community Development Director – Morgan Brim & Planning Commission Chair Cristy Welsh

- 81 ○ Ms. Welsh reported that the Planning Commission had a busy meeting last week. They
82 reviewed two site plans: Lakeview Holdings, and the Mill Town development, where they
83 did a site visit. The commission approved both site plans. She said they reviewed the
84 Holdaway Cove preliminary plat and the WatersEdge Hamptons and James Bay plats. He
85 explained that the Hamptons was making room for an LDS church, which would take about
86 12 lots. She stated that there were concerns with where the density would go. She reported
87 that on the James Bay plat there were two issues. One issue was that there were originally
88 two access points which they changed to one main access point. The second access point was
89 changed to a crash gate into the park. She said that the other concern was with the water
90 runoff on the back lots to the lake. She mentioned that there was a Zoning Ordinance to
91 amend the drive-thru standards.
- 92
93 ○ Mr. Brim noted that they would not be discussing the Hamptons Plat tonight. He said that the
94 developer needed to do an analysis of how the larger lots would be spread throughout the rest
95 of the community. He reported that he had met with the Clegg family about their farmland.
96 He mentioned that staff had met with Edge Homes which had purchased the property to the
97 west of the Preserve in the Town Center area. He noted that Starbucks had officially
98 submitted their site plan, conditional use permit, and a plat amendment.

City Recorder – Pamela Spencer – Ms. Spencer reported that Utah County Commissioners had voted not to have an all vote by mail election this year. She suggested that if residents wanted to still vote by mail they get on the state’s voter registration website and register for an absentee ballot.

Building Official – George Reid – Mr. Reid reported that crews would be painting the basement tomorrow. He hoped to be using the basement by mid-April. He stated that he would be presenting the Administrative Citation Enforcement program (ACE) at the next council meeting. He explained that this would be an amendment to the Municipal Code adding a new chapter for code enforcement.

Water/Parks Manager Sullivan Love – Mr. Love had no new items to report. Councilmember Judd asked who represented Vineyard on the Utah Lake Commission. Mr. Love responded that he did. He reported on the Utah Lake Restoration project. He added that the Utah Lake Commission was supportive of the project. He noted that in conjunction with the project the Division of Forestry, Fire, and State Lands would be creating management plans. Mayor Fullmer commented that the update to the bill was to make it so the state would be more involved in the project. There was further discussion about the lake project. He mentioned that the website for the lake project was www.utahlakerestoration.com

Mr. Love reported that he attended a meeting about pretreatment processes for green waste.

DISCUSSION ITEMS

No items were submitted.

6:23 PM REGULAR SESSION

Mayor Fullmer opened the regular session at 6:23 PM.

MAYOR’S APPOINTMENTS

No items were submitted.

CONSENT ITEMS

a) Approval of the February 28, 2018 City Council Meeting Minutes

Mayor Fullmer asked to remove the consent item for further review.

Motion: COUNCILMEMBER FLAKE MOVED TO POSTPONE THE APPROVAL OF THE CONSENT ITEM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Youth Council Structure Amendments

Youth Council Advisor Jim Welsh will present requested changes to the Vineyard Youth Council structure. The mayor and City Council will take appropriate action.

154 Mayor Fullmer turned the time over Youth Council Advisor Jim Welsh.

155
156 Mr. Welsh gave a brief history of the Youth Council. He read through the proposed changes. He
157 said that the original structure only allowed for 5 youth to participate. He felt that was short-
158 sighted and wanted to open it up to more youth. He wanted it opened up for youth from ages 12
159 to 18. He also wanted to keep the original committees and add two leadership positions of City
160 Manager and Youth City Recorder. The total of participants on the executive team would be
161 seven youth. He said that they would involve all of the youth interested in participating in the
162 meetings and projects. Other requirement changes: must be a resident for at least three months to
163 apply, all terms of service would be limited to one year, elections would be held the third week
164 in July and proposals would be sent to the mayor and City Council by the third week in August.
165 He felt that these changes would get more youth involved at a younger age. He noted that last
166 year there were 10 to 12 youth participating and this year there were over 30 applications with 22
167 coming to the meetings on a regular basis.

168
169 Mr. Welsh gave a summary of the changes.

170
171 Mayor Fullmer called for questions from the council. Hearing none, she called for a motion.

172
173 **Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE THE ATTACHED
174 DOCUMENT REGARDING THE YOUTH COUNCIL WITH THE STRUCTURE AS NOTED
175 INCLUDING THE UPDATED APPLICATION. COUNCILMEMBER EARNEST
176 SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST,
177 FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT.
178 MOTION CARRIED WITH ONE ABSENT.

179
180
181 **9.2 PUBLIC HEARING – 2017-2018 FY Budget Amendment Resolution 2018-03**

182 City Manager/Finance Director Jacob McHargue will present amendments to the 2017-2018
183 Fiscal Year Budget. The mayor and City Council will hear public comment regarding these
184 amendments. The mayor and City Council may act to approve (or deny) this request by
185 resolution.

186
187 Mayor Fullmer turned the time over to City Manager/Finance Director Jacob McHargue.

188
189 Mr. McHargue gave a brief background on how budget amendments were handled. He then
190 presented the proposed amendments to the 2017-2018 budget. He said that the purchase of the
191 property west of Gammon Park was the most significant reason for the budget adjustment was.
192 Highlights of the presentation were:

193
194 **General Fund Revenues**

195 Revenue increase	\$ 976,360
196 <u>Appropriation of fund balance</u>	<u>\$2,841,300</u>
197 Total Increase	\$3,457,660

198
199 Councilmember Judd asked what the increases were attributed to. Mr. McHargue replied that
200 they collected more in property taxes than anticipated. He added that the trends for sales taxes
201 were up and the trend for franchise taxes went down. He said that they raised the projected
202 building permit revenue and the city received a Geographic Information System Mapping
203 Technology (GIS) grant. They raised revenue projections for development fees and garbage
204 collection fees, and interest earnings were up. He concluded that the main change was the

appropriation fund balance, which was money left over from prior years in a capital projects account or were one-time funds for projects and appropriating them for projects this year.

General Fund Expenses

Administration	\$ 38,400	majority for the basement finish
Park Purchase	\$2,751,000	
Contracted Services	\$ 51,700	25,000 for General Plan, 25,000 engineering
Building & Grounds	\$ 4,000	additional tools for splash pads
Building Inspections	\$ - 152,800	lower contracted services than anticipated
Public Safety	\$ 18,100	due to growth
Public Works	\$ 95,500	offsetting expense for the GIS grant
Sanitation	\$ 30,000	offsetting revenue/due to growth
Parks	\$ 71,000	increases to run the splash pad
Transfers	\$ 550,060	utility and capital projects
Total Increase	\$3,457,660	

Impact Fees

Impact Fees Revenue	\$ 546,000	reimbursement agreement
Roadway Expenses	\$ 540,000	reimbursement agreement, center street overpass, New Vineyard Road design
Storm Drain Expenses	\$ 50,000	Homestead reimbursement agreement

Capital Projects

Road Striping	\$ 92,000	
Vineyard Elementary	\$ 64,000	additional costs for a storm drain
Basement Finish & Parking Lot	\$ 325,000	
Shore Detention Park	\$ 150,000	
300 West Landscaping	\$ 87,000	
Park Purchase	\$2,751,000	
Contribution from General Fund	\$ 653,960	help to fund some of the projects
Appropriation from Fund Balance	\$3,359,040	additional from Fund balance

Water Revenues

Water revenues are increasing each year. He explained that the city always made revenue projections low.

Water Fund

Water Revenues	\$1,011,700	
Water Expenses	\$1,274,330	
General Fund Subsidy	\$ 190,100	purchase water in blocks (one-time subsidy)

Councilmember Judd asked how the block of water cost. Mr. McHargue replied that it was about \$360,000

Sewer Revenues

Sewer revenues – increase each year and were projected low

Sewer Fund

Sewer Revenue	\$ 507,030	
Sewer Expenses	\$ 865,200	\$98,000 – one-time projects
General Fund Subsidy	\$ 95,370	never have funded depreciation

Councilmember Judd asked what the plan was for funding depreciation. Mr. McHargue replied that it would be easier to fund depreciation as they grow, but at build-out, they would be able to fund it. Councilmember Judd asked about critical failures. Mr. McHargue replied that the money was used to upgrade some of the Lift Stations. Mr. Overson explained that Lift Station #1 was almost 10 years old and sat vacant for about 5 years and needed to replace parts because of lack of use. He felt that it was money well spent to bring the level of service up. Mr. McHargue said that staff was looking at what they would need to fund depreciation.

Storm Water Fund

Storm Water Revenues	\$ 85,400
Storm Water Expenses	\$ 104,400
Projected Subsidy	\$ 19,000

Mr. McHargue noted that most of the cost was staffing. Mr. Overson explained that this was mandated by the state and the city needed a way to fund it.

Transportation Fund

Transportation Revenues	\$ 277,200	
B&C from General Fund	\$150,000	
Transportation Utility	\$ 36,900	
General Fund Subsidy	\$ 90,300	
Transportation Expenses	\$ 277,200	
Mill Road	\$270,000	needs to be striped and needs an overlay.

Mr. McHargue said that there were three options for Mill Road.

Option 1. Use the subsidy to fund the project this year.

Option 2. Do a basic striping for around \$15,000 and wait until the next budget year to do the overlay.

Option 3. Wait until the next budget year, which is July 1, and do the entire project.

Mr. McHargue said that staff's recommendation was Option 3 because the \$90,000 from the General Fund was unencumbered money, meaning no restrictions. He said that the B & C road money can only be used for this type of project so they could spend this year's and next year's B & C road funds if they wait.

Councilmember Judd asked about the transportation expenses. Mr. McHargue explained that initially the money was budgeted to do an overlay in some of the subdivision but they wanted to wait on that and do Mill Road. Staff considered Mill Road one of the highest priorities because of the concerns with safety. Mr. Overson said that with all of the developments going in along Mill Road they have had to cut into the road and it was taking year of life out of it. He emphasized the critical need to bring Mill Road back up to a level of service they could be comfortable with. Mayor Fullmer stated that it was a high point of danger in regards to the striping of the road. Mr. There was a discussion about where to spend the funds. Sergeant Rockwell noted that there was not a high number of accidents not on Mill Road.

Councilmember Earnest asked what the highest priority was. Mr. McHargue replied that staff's recommendation was to hold off until July and use the General Fund money towards other projects. There was further discussion about Mill Road and using the funds. Mr. McHargue stated that staff was comfortable with any of the options but was recommending Option 3.

Councilmember Judd asked how much wear and tear there would be in the next 6 months if they went with Option 2 and just did the striping. Mr. Overson replied that the sooner they could

patch and treat the road, the longer it would last. Mr. McHargue explained that it would only push the project back about 6 weeks. If they wait they could still get the project out to bid with a start date of July 1. He said that they would bring the project back to council.

Councilmember Judd asked when the neighborhood's roads would be done. Mr. Overson replied that based on the revenue projections the project would be done next budget year.

Mayor Fullmer asked if the council was comfortable giving staff direction. Councilmember Earnest stated that he was comfortable with the July 1 date. Councilmember Flake stated that he wanted to use the money purpose directed and take the two-month delay. Mr. McHargue explained that initially, staff did not know what the state was going to do so they only budgeted for \$50,000 in expenses this year.

Mayor Fullmer said that her concern was with safety on this road. She asked if they would have the bids back by the next meeting, and if so, would the bids show both Options 2 and 3. Mr. McHargue replied that the Option 2 was just for striping. Options 2 and 3 would both start in July. He added that staff could present council with the striping bid at the next meeting.

Mr. McHargue stated that they had one capital project under construction, which was The Shores detention park. He said that there were a few change orders so they included a 10 percent contingency in the budget, which would give them \$15,000 that they would not have to get additional council approval on.

Councilmember Earnest asked for examples of what was in the contingency. Assistant City Engineer Chris Wilson replied that they had to install meter pedestal to the street lights to allow for power to the sprinkling system, an upsize on an irrigation main, etc.

Councilmember Judd asked if they were not required to include a contingency amount in the original bid. Mr. Wilson replied that the contingency would be something that staff would include in the bid approval. Councilmember Judd suggested that they add a contingency amount in the bid approval process. Mr. McHargue noted that he could approve up to \$3,000.

Mayor Fullmer called for a motion to open the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 7:05 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for public comments. Hearing none, she called for a motion to closed the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:05 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE RESOLUTION 2018-03. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER,

COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR.
COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for a motion to adjourn the council meeting and go into an RDA meeting.

Motion: COUNCILMEMBER JUDD MOVED TO ADJOURN THE CITY COUNCIL MEETING AND GO INTO AN RDA MEETING AT 7:06 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer reopened the City Council meeting 7:15 PM.

9.3 DISCUSSION AND ACTION – Holdaway Cove Preliminary Plat

The applicant is proposing to subdivide an existing lot of 3 acres into seven (7) individual lots. The subject property is located at 220 S. Holdaway Rd. and is within the R-2-15 zoning district. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to City Planner Elizabeth Hart.

Ms. Hart gave a brief description of the request. She said the Planning Commission and staff were recommending approval. Councilmember Flake asked if the development conformed to the Holdaway Road requirements. Mr. Brim replied that it did.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE HOLDAWAY COVE PLAT AS PRESENTED. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.4 DISCUSSION AND ACTION – Waters Edge James Bay Preliminary and Final Plat

The applicant, Flagship Homes, is resubmitting a preliminary plat along with a final plat application for the James Bay subdivision within Waters Edge. The subject property is located south of 400 North and immediately adjacent to the Utah Lake. The plat indicates that there are 28 buildable lots on approximately 21.47 acres with 2.48 acres of open space. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to City Planner Elizabeth Hart.

Ms. Hart gave a brief description of the request. She noted that parcels A and B were on dedicated open space, which included a trail as part of the WatersEdge Master Plan. She mentioned that the 3-acre beach park was not on the plat at this time. She stated that it would come at a later date when the design had been finalized with staff and the developer. She explained that there was only one access going into the subdivision with a crash gate going into the 3-acre park. Mayor Fullmer requested staff to explain the code. Ms. Hart stated that it was fire code. Mr. Reid explained that it was Appendix D of the fire code which was not adopted by the State of Utah. He said that it was in the guidance that most Fire Marshals use for making their determination. Mr. Brim noted that the fire marshal had reviewed it and was fine with the

design. Mayor Fullmer asked for Councilmember Earnest's opinion as a firefighter. Councilmember Earnest stated that if the fire marshal had reviewed the plans and approved the plan then he was okay with it. Mayor Fullmer noted that the crash gate would go through the park into a parking lot.

Ms. Hart stated that Planning Commission had recommended approval and staff were recommending approval of the preliminary and final plat.

Councilmember Judd asked about the stormwater draining into the lake and what Flagship/WatersEdge was proposing to control it. Bronson Tatton with Flagship Homes replied that if the slope goes away from the home they would put a berm in the back to contain the stormwater on those lots. Councilmember Judd asked if they required it on The Shores subdivision. Councilmember Flake replied that they did not. Councilmember Judd asked if homeowners removed them. Mr. Tatton replied that it varied. Councilmember Judd asked about fencing on the back lots. Mr. Tatton replied that a Clearview fence would be an option. He said that they left this as an option so the homeowners could submit for a permit for a boat dock. The Lake Shore Trail would be owned by Utah County. Mr. Tatton explained the process to get the trail built. Mr. Overson explained that there was an elevation difference between the lots and the shoreline. He asked if they were going to allow access from the lots to the trail and what would be used for stabilization of the slope. He asked if they were going to require a permit to build a staircase, etc. Mr. Tatton responded that in most cases the property line would be on the toe of the slope so the homeowners could do what they wanted with it. Councilmember Earnest asked which slope from the trail to the lake. There was a continued discussion about the slope of the properties and the trail. Mr. Brim stated that the concern was if the developer bermed the backyard and the property owner were to remove it then they would be taking out the safeguard. Councilmember Judd asked if they could have the berm on the west side of the fence, on the outside on the property. Mr. Tatton said that they could put the berm on the public side of the property.

Councilmember Judd asked for clarification on the access to the lake and access across a public trail. He asked if they were talking about foot traffic across the trail. He was concerned with the safeguards that there would be to stop the motorized vehicles. Mr. Wilson replied that he would worry about people trying to put a boat on the lake and getting their vehicle stuck. He said residents would have to drop their boat in somewhere else and then dock their boats for the summer, etc. He noted that any permitting would have to be done through the county and state. Councilmember Judd asked if there was something they could put on the plat to not allow vehicular traffic access on the trail. Ms. Welsh explained that the trail would be part of the park design. Mr. Brim further explained that the trail was part of the master plan and had to be connected to the development. There was further discussion about boat access. Mr. Overson was concerned with ATV traffic, etc. Mr. Brim stated that if there was a fence in the master plan then it would be required to be installed. Mr. Tatton thought that the fence was optional. Councilmember Earnest suggested that they approve adding a gate, etc., onto the trail. Mr. Overson mentioned that they could require them to stabilize their backyard to prevent erosion problems from the lawns. He added that they could also require them to put stairs, etc., if they wanted access to the trail from their yard. Mr. Brim suggested that they add a condition that the applicant provide a stabilization and stormwater plan to be approved by the city prior to issuing the building permit.

The conditions were reviewed:

1. The applicant provides a site stabilization and storm water plan to be approved by the City Engineer during the building permit process.

2. The Berm be to the west, outside of the property line as long as it does not reduce the trail size.
3. If staff finds that the berm is not there, they could go back and adjust it.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE JAMES BAY PRELIMINARY AND FINAL PLAT WITH THE THREE PROPOSED CONDITIONS AND THE ADDED CONDITION WHICH STATES THAT THE APPLICANT SUBMITS AN EROSION CONTROL/STORM WATER PLAN THAT WILL INCORPORATE PLACEMENT OF A BERM ON THE OUTSIDE OF THE WEST PROPERTY LINE OR ALTERNATIVE SOLUTIONS. THIS PLAN SHALL TAKE INTO ACCOUNT THE ENTIRE JAMES BAY SUBDIVISION AND WILL REQUIRE APPROVAL BY THE CITY ENGINEER PRIOR TO THE CITY ISSUING BUILDING PERMITS.

Mr. Overson explained that if they built the trail up they could create a swell and alleviate the berm issue. Mr. Wilson stated that by state law every property owner was required to retain the stormwater on their own property. He noted that this information was included on every plat. There was further discussion about water runoff. Resident David Lauret asked for clarification on the water runoff and over watering of the yards. Mayor Fullmer explained that they were not only discussing stormwater runoff but any additional water that could be coming from the property. Councilmember Judd explained that they were trying to protect the trail and Utah Lake.

COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.5 PUBLIC HEARING – Zoning Ordinance Amendment 2018-02

Community Development Director/City Planner Morgan Brim will present text amendments to the Zoning Ordinance, including: Chapter 15.34 Supplementary Development Standards, Section 15.34.190 Drive-Thru Facilities to provide building design standards for material, fenestration and buildings located on street corners; amending residential distance requirements, providing an exception for drive aisles to be located between the front façade and front property line, establishing drive aisle dimensions, providing requirements for screening and landscaping, restricting placement of menu boards, providing walkway requirements, and establishing zoning graphics to illustrate standards.

Amending Vineyard Zoning Ordinance Chapter 15.12 Establishment of District and Zoning Tables, Section 15.12.050, District Use Table, adding Drive-Thru Facilities as a permitted use in the RMU, FMU, RC and M Districts with reference to table note 7 which references Section 15.34.190, Drive-Thru Facilities. Including requirements to obtain a Conditional Use Permit for Drive-Thru Facilities with drive aisle located between the building front façade and front property line. The mayor and City Council may act to approve (or deny) this request by ordinance.

Mayor Fullmer turned the time over to Community Development Director Morgan Brim.

Mr. Brim gave a brief background on the drive-thru ordinance and explained the reason for the amendment. He said that the amendment provided a provision to allow a drive aisle in front of the building if the builder followed specific standards. He read Subsection G. "Drive-thru aisles and exit lanes are only permitted on the side and rear of buildings, except as provided for in Part 12 of this section." He said that they added some specific architecture requirements, which were

that a pedestrian isle would increase in width and the hours of operation and distances from residential property line would change. He noted that they also included graphics. He said that Part 12 would be the exceptions.

Mr. Brim stated that Planning Commission and staff were recommending approval.

Mayor Fullmer called for a motion to open the public hearing.

Motion: COUNCILMEMBER JUDD MOVED TO OPEN THE PUBLIC HEARING AT 7:49 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for public comment. Hearing none, she called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:49 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for further questions.

Councilmember Judd stated that he felt comfortable with the amendment after watching the Planning Commission process.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE ORDINANCE 2018-02. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.6 DISCUSSION AND ACTION – Consideration of a Vineyard Tree Manual, Tree Relocation Plan, and the Hiring of an Arborist Consultant

Community Development Director Morgan Brim will be presenting, on behalf of the Staff Working Committee, a request for the approval of a Vineyard Tree Manual, a Tree Relocation Plan, and the hiring of an Arborist Consultant. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to Community Development Director Morgan Brim.

Mr. Brim explained that staff had created a Staff Planning Committee, which included Planning, Zoning, Economic Development, Water, Sewer, Public Works, Engineering, and Councilmember Flake. The committee was organized to tackle specific issues. The committee wanted to make sure they had policies in place to help maintain a healthy Vineyard urban forest.

Mr. Brim gave a description of an urban forest and the reason for the recommendations.

Mr. Brim explained that the committee's approach was three-fold: planning, policy development, and education

Planning

Mr. Brim said that the first thing that needed to be done was to implement a phased tree location plan.

He said that there were significant issues and that the committee identified 30 trees that needed to be moved now to save the infrastructure. He felt that they needed to hire an arborist consultant to build an inventory and a GIS data base. He said that in the future they needed to consider using Crime Prevention Through Environmental Design (CPTED), meaning trees were placed in a way so that they did not create hiding places, which would also help law enforcement. He said the they also needed to consider how much control they wanted the city to have over private property.

Policy Development

Mr. Brim said that the committee had developed a Vineyard Tree Manual. He felt that the manual would help staff and the developers. He explained that they had looked at low maintenance trees and where they could be appropriately planted. He said that they would be looking at code enforcement at a later date.

Education

Mr. Brim explained that they had created an FYI form that would be available on the city's website. He said that they would be using social media and providing resources to the residents. He added that they would be looking into energy reduction grants.

Mr. Brim stated that the committee's recommendation was that council adopt the Vineyard Tree Manual. He mentioned that they had already approved funding to hire a contractor to relocate the trees and to hire an arborist.

Mr. Love explained the tree location plan. He said the areas chosen to have trees relocated to, were the Maples detention basin, LeCheminant pocket park and detention basin, and the new City Hall/Offices. He said that this would be Phase 1. Councilmember Judd asked if the city would be taking the responsibility from the developer if they were to move the trees now. Mr. Overson replied that the city would be moving trees on Center and Main Streets under the Homesteads Development, which were now the city's responsibility. He added that they would not be doing anything with the Waters Edge trees. Waters Edge would be covering the cost to move the trees in their development.

Mayor Fullmer asked if council would be approving the committee's plan as to the location that they would be moving the trees. Mr. Brim replied that they could provide guidance on relocation of the trees, but the approval tonight would be the tree manual. Mr. Love said that he met with the company that would be moving the trees and they agreed with the locations.

Mayor Fullmer commented about moving trees to the detention area in The Shores subdivision. She also mentioned the location in the Maples areas. She felt that it would be a good idea to come up with a process as to how they decided where to put the trees. She suggested that they do public outreach and put it out to the public before they move the trees. Councilmember Flake explained that they needed to move these trees quickly and place them close to where the trees were presently located for their survival. Mr. Love clarified that the trees identified were already hazards to infrastructure and would not be replaced.

Councilmember Earnest asked if the tree manual would be a policy and a guideline. He expressed concern that they were telling people what they could do with their private property. Councilmember Judd felt that they were not telling people but the policy would include easements. Mr. Brim explained that it would be a requirement for public property and a guideline for private property.

Mayor Fullmer asked what the timeline would be for moving the trees. Mr. Love replied that they needed to move the trees before they bud out and there was new growth. He said that the tree mover felt that they had a two-year window to move them. He added that the times to move them would be in the spring and fall.

Councilmember Judd noted that he was in favor of the tree plan. Mr. Love stated that for private property owners the tree manual would be a guide for their planter strip between the curb and sidewalk, so that they did not plant trees that would uproot or raise sidewalks, etc.

Mr. Brim mentioned that the manual was the Planning Department's intern David Jellen's project.

Mr. Jellen explained that the manual was divided into two parts: text and a compilation of the recommended trees. He said that a lot research had been put into the recommended trees and then classified based on height at maturity. He added that the trees were all locally available. Councilmember Flake commented that there were no perfect trees. He said they needed to have flexibility and allow for other trees. He stated that these were the most efficacious plants for Vineyard's soil and location, etc.

Mr. Love noted that if the city needed an Earth Day project that a tree ring would need to be created to protect the trees after they were moved. Mayor Fullmer commented that they were looking for projects and volunteers for Earth Day and possibly Arbor Day.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE PROPOSED VINEYARD TREE MANUAL. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.7 TRAINING – Open and Public Meetings Training

City Attorney David Church will present annual training on Open and Public Meeting procedures and requirements. The City Council as well as members of the Planning Commission will attend this training. This training is provided annually pursuant to Section 52-4-104 of the Utah State Code.

Mayor Fullmer turned the time over to City Attorney David Church.

Mr. Church explained the reason that they were required to hold "Open and Public Meetings" training. He noted that the training compliance had been added to the audit process.

Mr. Church explained the "Open and Public Meetings Act" found in the Utah State Code. He noted that none of the changes from the legislature this year affect cities and towns.

Mr. Church said the legislature found it necessary to put an actual declaration of public policy. He then read the act.

Mr. Church explained that there were two policies: one that stated that the actions were done openly and the second policy stated that they deliberate openly. He explained that it had been difficult for some organizations to comply with. He said that there were some issues that would be quicker and easier if they did not do them in a public forum, but the policy behind the act was openness. He added that they had traded efficiency for transparency.

Mr. Church said that the act defined meetings, the openness of meetings, and the records that must be kept of those meetings. He read the definition of a meeting. He noted that there were exceptions to the definition of a meeting, which were a purely social occasion and a chance get together. Public bodies are bodies that were created by ordinance, resolution, constitution, or an official action, that has two or more persons, supported by public money, and has been given the power to do or advise on doing the public's business. He listed some of the public bodies the city had: Planning Commission, City Council. If the city were to create a Town Days Committee and give them a job, they could be a public body. He gave other examples of public bodies. He said that ad-hoc committees were not public bodies.

Mr. Church gave the definition of a quorum, a convened meeting, and gave examples. He explained how they were to comply with the convening of a meeting: posting a notice of the meeting, which must include an agenda, and have the doors open for the public to watch them meet. He said that if they were to make a decision on a matter that was not on the agenda, that decision would be voidable under the law if it were challenged. They had to challenge it within 90 days of passage unless it was bond issue and then they had 30 days to challenge it. He said that if it was challenged then the council could call a meeting and put it back on the agenda and reapprove it.

Mr. Church said that there was an exception for an emergency meeting and gave the definition of an emergency.

The question was asked how the public meeting corresponded with emails, etc. Mr. Church responded that a meeting was defined by whether they were convened in person or electronically. He said that with the change in technology the legislature added a section that defines electronic communication that includes a portion in the act that states, "nothing in this act can be construed to make it a violation of the act for members of a public body to communicate through electronic communications outside the meeting." If there were a group of the public body on the phone together discussing public business then it would be a clear violation of the act with Facebook post or comment if another councilmember were to comment on the post then it most likely would not be a violation of the act. If they were to purposely start an email meeting to discuss an issue over email would be cheating. He said "don't cheat."

There was a discussion about how to notice and hold emergency meetings. He said the exception to emails and text messaging would if they were doing it in a public meeting. They would be in violation of the act if they were emailing or texting each other in a public meeting about the items they were discussing. He stated that council members should not have their phones on during a public meeting for transparency.

Mr. Church briefly talked about closed session. He stated that planning commissions should not hold closed session unless they were meeting with an attorney on pending or imminent litigation.

Mr. Church mentioned that the act also defined what kind of records needed to be kept for the meetings. There was a minimum level of detail that had to be included in the record. Some of the required information was who spoke and the actual vote of the members. The draft and approved minutes must be available after a specific period of time. Meetings must be recorded and available to the public.

Ms. Welsh asked about using public emails v. private emails. Mr. Church explained that it was neither good nor bad for the city but could be bad for the individual. He stated that the question was if they were public documents which were subject to the Government Records Access Management Act (GRAMA). He said the biggest issue would be if they comingled the public documents with their personal and what would be available to the lawyers when they do “discover.” It does not mean that their personal information becomes public but a judge or lawyer will have the right to make that decision. He suggested that if they could they should keep those things separate. If they were comingled they should try to separate them. Ms. Spencer mentioned that there was a retention on their emails and what types could be deleted immediately, depending on the subject matter.

Mr. Church closed the training by stating that the open and public meetings act was enforced by criminal penalties.

CLOSED SESSION

Mayor Fullmer asked if there was a reason to go into a closed session.

Motion: COUNCILMEMBER JUDD MOVED TO GO TO A CLOSED SESSION FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION AND A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY AT 8:42 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

ADJOURNMENT

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 9:00 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD WERE IN FAVOR. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

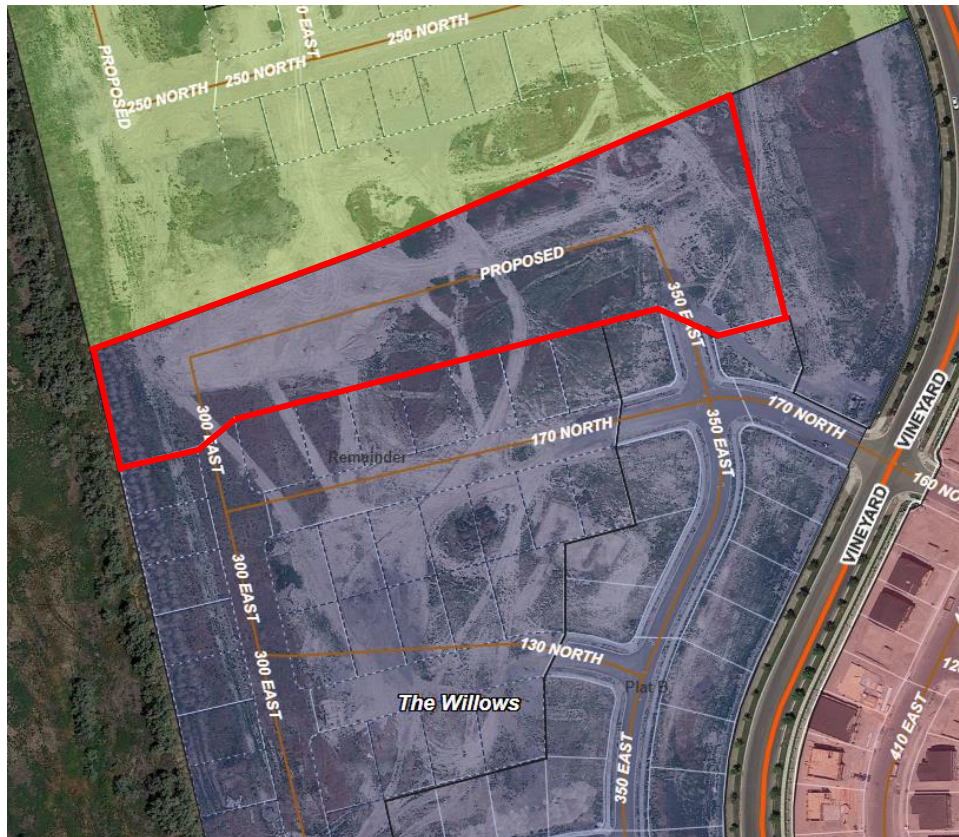
The next regularly scheduled meeting is March 28, 2018.

MINUTES APPROVED ON: _____

CERTIFIED CORRECT BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER

Community Development

DATE: March 28, 2018
FROM: Elizabeth Hart, Planner
TO: City Council
ITEM: Waters Edge Willows Final Plat D
ADDRESS: 200 E and 250 N
APPLICANT: Flagship Homes



INTRODUCTION:

The applicant is requesting approval for a final plat. The subject property is part of the Willows subdivision within the Waters Edge development. The city council approved a preliminary plat in May of 2015. The planning staff has reviewed the final plat application and has found it to be in conformance with the approved preliminary plat and the Waters Edge zoning district.

ANALYSIS

The final plat includes approximately 6.14 acres of land with 25 buildable lots and is zoned SFD-6500. The preliminary plat was approved with a clubhouse located on the east side of the proposed lots 100 to 103, staff has requested that a lot be created on the plat for the clubhouse location.

CATEGORY	STANDARD	COMMENTS	CONFORMANCE
Minimum Lot Size	6200 sf	Lot sizes range between 6500 sf and 9699 sf	YES
Minimum Lot Width	60 ft		YES
Minimum Lot Width for Corner Lot	70 ft		YES
Minimum Lot Width for Cul-de-sac Lots	50 ft		
Minimum Lot Depth	100 ft		YES
Front Setback to Garage	20 ft	Setback for garage needs to be added to the plat	NO
Front Setback to Living Space/Porch	15 ft		YES
Minimum Rear Yard Setback	15 ft	Setback detailed on plat is 10 ft	NO
Minimum Side Yard Setback	5 ft		YES
Minimum Side Yard Setback for Corner Lots	15 ft		YES

OPEN SPACE:

The plat also includes 42,559 square feet of open space (Parcel A) along the north side of the subject property and a 1,393 SF open space corridor (Parcel B) that connects into the open space to the west of the development. The Waters Edge Master Community Trails plan shows a trail within the open space of Parcel A. Staff has requested Parcel A and B be shown as dedicated open space/ trail to the city.

FENCING:

As part of the Waters Edge Master Fencing plan, a six (6') foot clear view fence is planned along the open space on the north and west sides of the development and a split rail fence is proposed to be along the clubhouse lot.

FINDINGS:

With the proposed conditions, the proposed final plat is in conformance with the approved Preliminary Plat and Waters Edge Zoning District.

RECOMMENDATION:

Staff recommends the City Council approve the final plat subject to the following conditions:

1. The applicant updates the setback and easement detail to show the front setback to the garage is 20 feet and the rear yard setback is 15 feet.
2. The applicant shows Parcel A and B as dedicated open space/trail to the city.
3. The applicant creates a lot for the proposed clubhouse on the east side of the project.

4. The applicant pays any outstanding fees and makes any redline corrections
5. The applicant is subject to all federal, state, and local laws

PROPOSED MOTION:

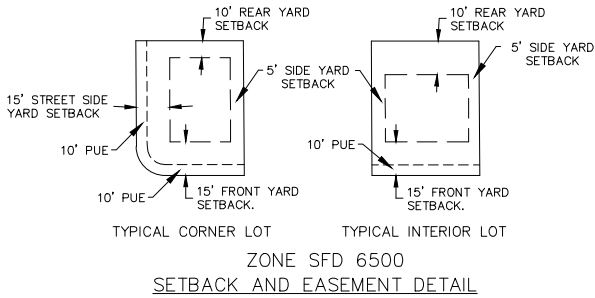
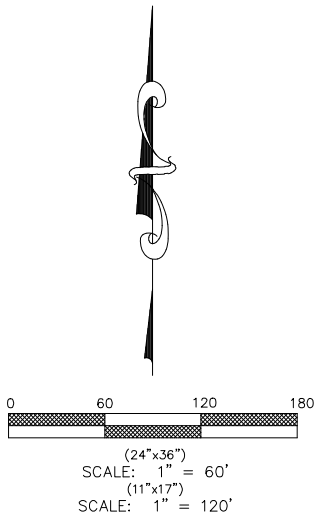
"I move to approve the proposed Final Plat for Willows at Waters Edge Plat D with the proposed conditions."

ATTACHEMENTS:

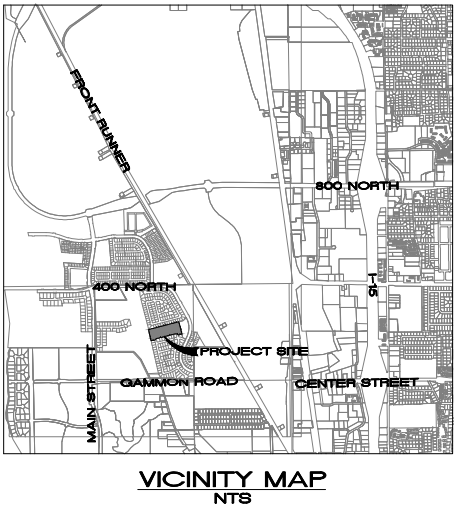
Final Plat Application

Proposed Final Plat

WILLOWS AT WATERS EDGE PLAT "D"
LOCATED IN THE NORTHEAST QUARTER OF
SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

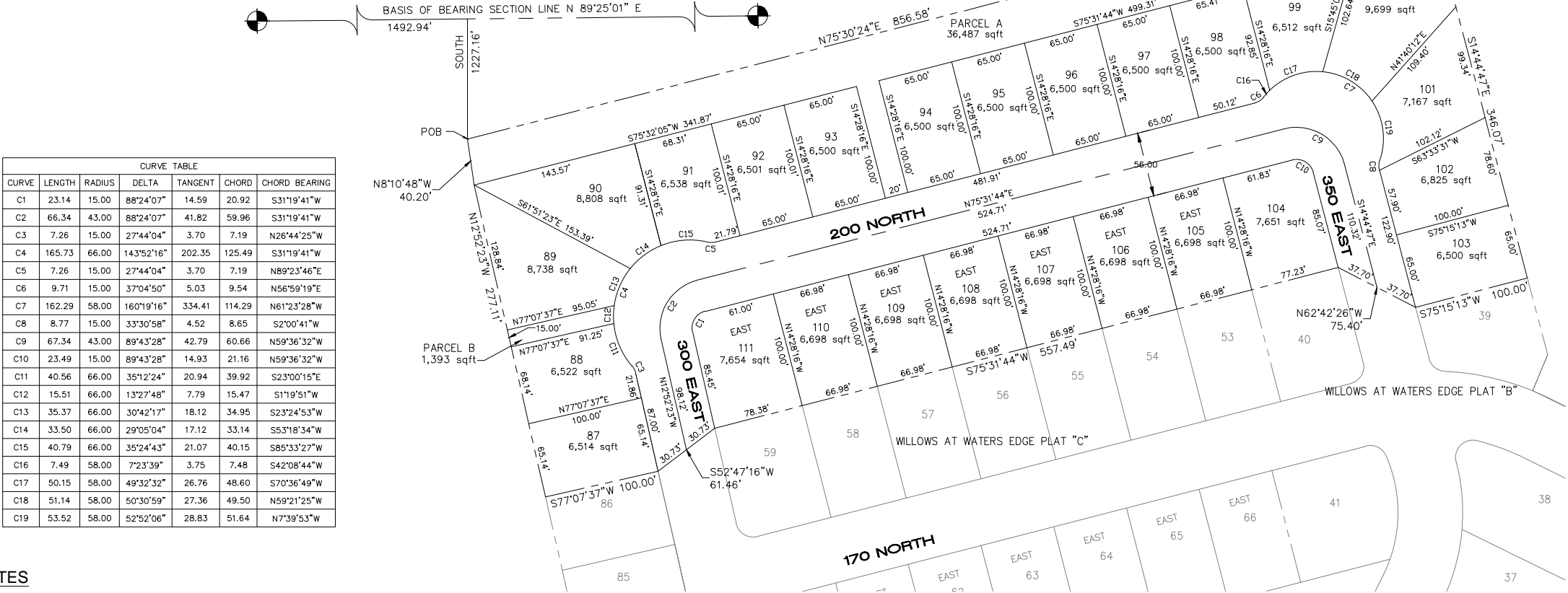


LAND USE PLAT "D"	
TOTAL ACREAGE:	6.09 acres
TOTAL LOTS:	25
NO. LOTS / ACRE:	4.11
AVE. LOT SIZE (TOTAL):	6,895 SF
ZONING AREA:	SDF-6500



FOUND BRASS CAP 1989
NORTHWEST CORNER OF SECTION 17,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

FOUND BRASS CAP 1989
NORTH QUARTER OF SECTION 17,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	23.14	15.00	88°24'07"	14.59	20.92	S31°19'41"W
C2	66.34	43.00	88°24'07"	41.82	59.96	S31°19'41"W
C3	7.26	15.00	27°44'04"	3.70	7.19	N26°44'25"W
C4	165.73	66.00	143°52'16"	202.35	125.49	S31°19'41"W
C5	7.26	15.00	27°44'04"	3.70	7.19	N89°23'46"E
C6	9.71	15.00	37°04'50"	5.03	9.54	N56°59'19"E
C7	162.29	58.00	160°19'16"	334.41	114.29	N61°23'28"W
C8	8.77	15.00	33°30'58"	4.52	8.65	S2°00'41"W
C9	67.34	43.00	89°43'28"	42.79	60.66	N59°36'32"W
C10	23.49	15.00	89°43'28"	14.93	21.16	N59°36'32"W
C11	40.56	66.00	35°12'24"	20.94	39.92	S23°00'15"E
C12	15.51	66.00	13°27'48"	7.79	15.47	S1°19'51"W
C13	35.37	66.00	30°42'17"	18.12	34.95	S23°24'53"W
C14	33.50	66.00	29°05'04"	17.12	33.14	S53°18'34"W
C15	40.79	66.00	35°24'43"	21.07	40.15	S85°33'27"W
C16	7.49	58.00	7°23'39"	3.75	7.48	S42°08'44"W
C17	50.15	58.00	49°32'32"	26.76	48.60	S70°36'49"W
C18	51.14	58.00	50°30'59"	27.36	49.50	N59°21'25"W
C19	53.52	58.00	52°52'06"	28.83	51.64	N7°39'53"W

QUESTAR GAS COMPANY

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABRIGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDE BY LAW OR EQUIT. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENTS AT 800-366-6532.

ROCKY MOUNTAIN POWER

- PURSUANT TO UTAH CODE ANN. 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. 17-27A603(4)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
 - A RECORDED EASEMENT OR RIGHT-OF-WAY
 - THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
 - TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND FACILITIES OR
 - ANY OTHER PROVISION OF LAW

DEVELOPER: FLAGSHIP HOMES
170 SOUTH INTERSTATE PLAZA, SUITE 250
LEHI, UT 84043 801-766-4442

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

ACCEPTANCE BY LEGISLATIVE BODY

VINEYARD PLANNING COMMISSION CHAIR	VINEYARD ATTORNEY
DATE: __/__/__	DATE: __/__/__
VINEYARD ENGINEER	CITY MANAGER
DATE: __/__/__	DATE: __/__/__
CLERK/RECORDER	
DATE: __/__/__	

SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 5152741, IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS DEDICATION PLAT, I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN ON THIS PLAT, I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

(SURVEYOR), P.L.S. _____ DATE _____

BOUNDARY DESCRIPTION

A parcel of land which is situate in the Northwest Quarter of Section 17, Township 6 South, Range 2 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at a point which is North 89°25'01" East 1492.94 feet along the section line and South 1227.16 feet from the Northwest Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and Meridian: thence North 75°30'24" East 856.59 feet; thence South 14°44'47" East 346.07 feet; thence South 75°15'13" West 100.00 feet; thence North 62°42'26" West 75.40 feet; thence South 75°31'44" West 557.49 feet; thence South 52°47'16" West 61.46 feet; thence South 77°07'37" West 100.00 feet; thence North 12°52'23" West 277.11 feet; thence North 08°10'48" West 40.20 feet to the point of beginning.

6.09 acres more or less.

Basis of bearing: The line between the Northwest Corner and the North Quarter Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and meridian which bears North 89°25'01" East.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, PARCELS AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS WILLOWS AT WATERS EDGE PLAT "D", AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES.

IN WITNESS WHEREOF, WE HAVE HERE UNTO SET OUR HANDS THIS _____ DAY OF _____ A.D. 20 ____.

SIGNATURE _____ PRINT NAME _____ TITLE & ENTITY _____

SIGNATURE _____ PRINT NAME _____ TITLE & ENTITY _____

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF UTAH } S. DAY OF _____, A.D. 20 ____ ,
ON THIS THE _____ PERSONALLY APPEARED BEFORE ME,

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

PLAT "D"

WILLOWS AT
WATERS EDGE

A RESIDENTIAL SUBDIVISION

RECORDING INFORMATION

VINEYARD, UTAH COUNTY, UTAH
SCALE: 1"= 60 FEET

SURVEYOR SEAL

NOTARY PUBLIC SEAL

CITY-COUNTY ENGINEER SEAL

CLERK-RECORDED SEAL

NOTES

- PLAT MUST BE RECORDED WITHIN 12 MONTHS OF FINAL PLAT APPROVAL, OR FOR PHASED DEVELOPMENTS, WITHIN 24 MONTHS OF RECORDATION OF MOST RECENT PHASE. THE FIRST FINAL PLAT APPROVAL WAS GRANTED ON THE _____ DAY OF _____, 20 ____.
- THE INSTALLATION OF IMPROVEMENTS SHALL CONFORM TO ALL CITY STANDARDS, REGULATIONS, AND ORDINANCES.
- BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL IMPROVEMENTS HAVE BEEN INSTALLED AND ACCEPTED BY THE CITY IN WRITING OR BONDED FOR.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL ALL IMPACT AND CONNECTION FEES ARE PAID IN FULL PER CITY REGULATIONS IN EFFECT AT THE TIME OF BUILDING PERMIT ISSUANCE.
- DRIVEWAYS AND LOT ACCESS SHALL BE LIMITED TO INTERIOR LOCAL SUBDIVISION STREETS ONLY.
- DRAINAGE SHALL NOT CROSS PROPERTY LINES. EXCESS OR CONCENTRATED DRAINAGE SHALL BE CONTAINED ON SITE OR DIRECTED TO AN APPROVED DRAINAGE FACILITY.
- VINEYARD ACCEPTS NO RESPONSIBILITY FOR ANY PROPERTY DAMAGE CAUSED BY GROUND WATER FLOODING.
- ALL BUILDING AND DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE VINEYARD ZONING ORDINANCE.
- PROPERTY OWNERS SHOULD BE AWARE THAT THIS AREA IS LOCATED IN THE VICINITY OF A RAILROAD SYSTEM.
- PARCELS A & B AND ALL ROADWAYS ARE TO BE DEDICATED TO VINEYARD CITY.
- 5' SIDE YARD SETBACK MUST REMAIN CLEAR FOR ACCESS.

Community Development

DATE: March 28, 2018
FROM: Elizabeth Hart, Planner
TO: City Council
ITEM: WatersEdge Parkside Final Plat D
ADDRESS: 160 E and 150 N
APPLICANT: Flagship Homes



INTRODUCTION:

The applicant is requesting approval for the final plat of Parkside D within Waters Edge. The city council approved a preliminary plat in June of 2015. The planning staff has reviewed the final plat application and finds it to be in conformance with the approved preliminary plat and the Waters Edge zoning district.

ANALYSIS:

The final plat includes 22 buildable lots on approximately 6.4 acres and is zoned SFD-8,000.

CATEGORY	STANDARD	COMMENTS	CONFORMANCE
Minimum Lot Size	8,000 sf	Lot sizes range between 8,550 sf and 16,7558 sf	YES

Minimum Lot Width	75 ft		YES
Minimum Lot Width Corner Lot	85 ft		YES
Minimum Lot Depth	100 ft		YES
Front Setback to Living Space/Porch	20 ft		YES
Minimum Rear Yard Setback	20 ft		YES
Minimum Side Yard Setback	6 ft		YES
Minimum Side Yard Setback for Corner Lots	20 ft		YES

OPEN SPACE:

The plat includes a 2,250 SF open space corridor (Parcel A), between lots 67 and 68, that will connect into a trail that runs north and south along the open space. Staff has requested that Parcel A be shown as dedicated open space to the city.

FENCING:

As part of the Waters Edge Master Fencing plan, a six (6') foot clear view fence is planned to be along lots 65 to 70, these lots back up to the open space to the east.

FINDINGS:

With the proposed conditions, the propose final plat is in conformance with the approved preliminary plat and Waters Edge Zoning District.

RECCOMENDATION:

Staff recommends the City Council approve the final plat subject to the following conditions:

1. The applicant pays any outstanding fees and makes any redline corrections
2. The applicant is subject to all federal, state, and local laws

PROPOSED MOTION:

"I move to approve the proposed Final Plat for Parkside D at Waters Edge with the proposed conditions."

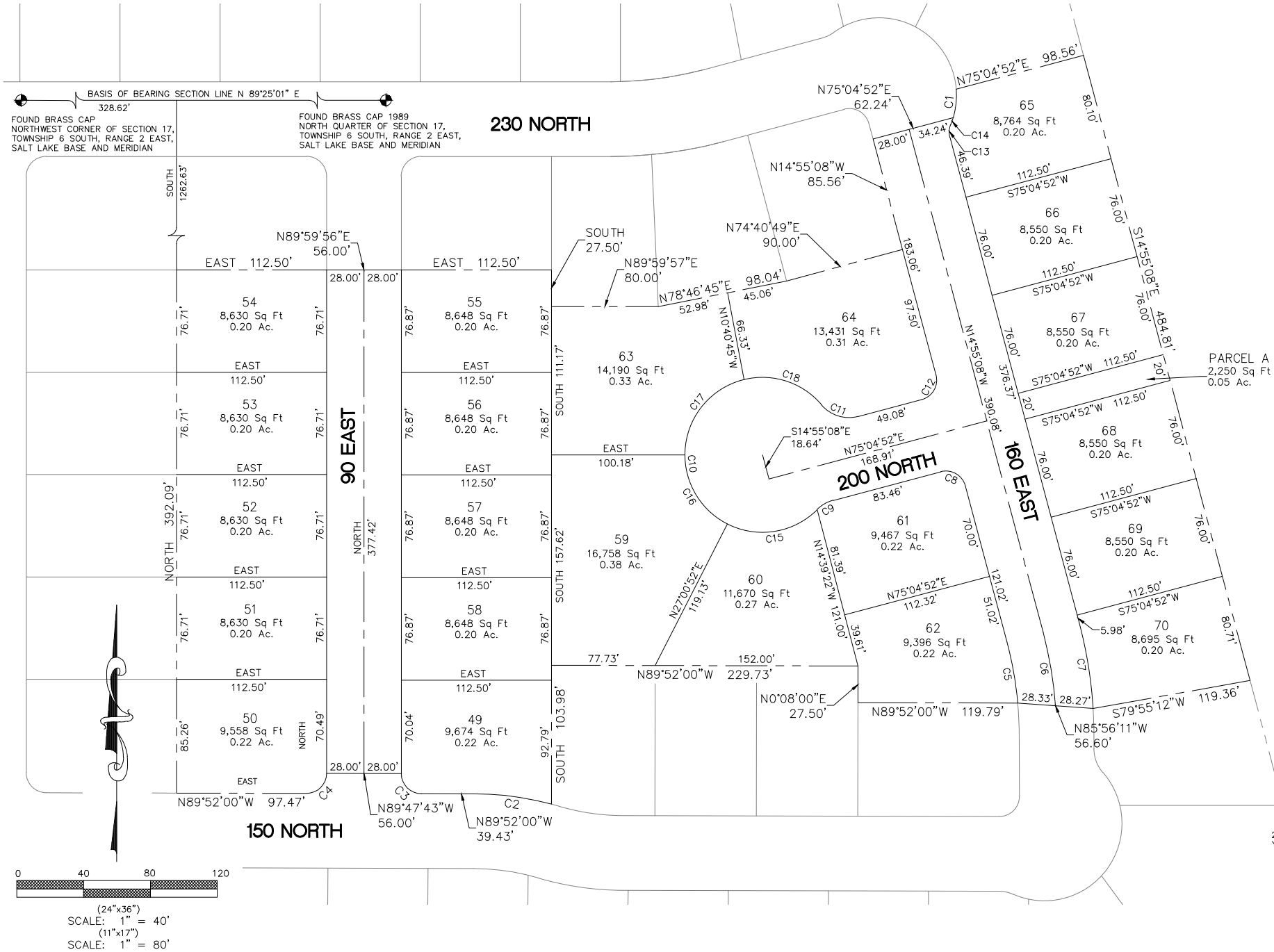
ATTACHEMENTS:

Final Plat Application

Proposed Final Plat

PARKSIDE AT WATERS EDGE PLAT " D "

LOCATED IN THE NORTHWEST QUARTER OF
SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN



NOTES

1. PLAT MUST BE RECORDED WITHIN 12 MONTHS OF FINAL PLAT APPROVAL, OR FOR PHASED DEVELOPMENTS, WITHIN 24 MONTHS OF RECORDATION OF MOST RECENT PHASE. THE FIRST FINAL PLAT APPROVAL WAS GRANTED ON THE _____ DAY OF _____, 20____.
2. THE INSTALLATION OF IMPROVEMENTS SHALL CONFORM TO ALL CITY STANDARDS, REGULATIONS, AND ORDINANCES.
3. BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL IMPROVEMENTS HAVE BEEN INSTALLED AND ACCEPTED BY THE CITY IN WRITING OR BONDED FOR.
4. NO BUILDING PERMITS SHALL BE ISSUED UNTIL ALL IMPACT AND CONNECTION FEES ARE PAID IN FULL PER CITY REGULATIONS IN EFFECT AT THE TIME OF BUILDING PERMIT ISSUANCE.
5. DRIVEWAYS AND LOT ACCESS SHALL BE LIMITED TO INTERIOR LOCAL SUBDIVISION STREETS ONLY.
6. DRAINAGE SHALL NOT CROSS PROPERTY LINES. EXCESS OR CONCENTRATED DRAINAGE SHALL BE CONTAINED ON SITE OR DIRECTED TO AN APPROVED DRAINAGE FACILITY.
7. VINEYARD ACCEPTS NO RESPONSIBILITY FOR ANY PROPERTY DAMAGE CAUSED BY GROUND WATER FLOODING.
8. ALL BUILDING AND DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE VINEYARD ZONING ORDINANCE.
9. PROPERTY OWNERS SHOULD BE AWARE THAT THIS AREA IS LOCATED IN THE VICINITY OF A RAILROAD SYSTEM.
10. PARCEL A AND ALL ROADWAYS ARE TO BE DEDICATED TO VINEYARD CITY.
11. 5' SIDE YARD SETBACK MUST REMAIN CLEAR FOR ACCESS.

QUESTAR GAS COMPANY

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDE BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNER'S DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENTS AT 800-366-6532.

ROCKY MOUNTAIN POWER

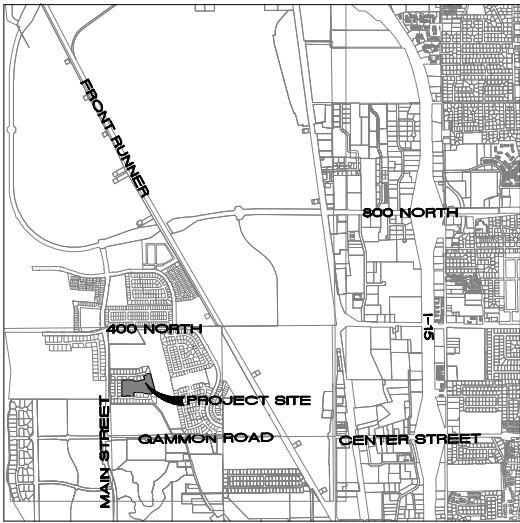
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 - a. A RECORDED EASEMENT OR RIGHT-OF-WAY
 - b. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
 - c. TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND FACILITIES OR
 - d. ANY OTHER PROVISION OF LAW

LAND USE

TOTAL ACREAGE: 6.40 acres
TOTAL LOTS: 22
NO. LOTS / ACRE: 3.44
ZONING: SFD-8000
ROAD: 1.42 acres

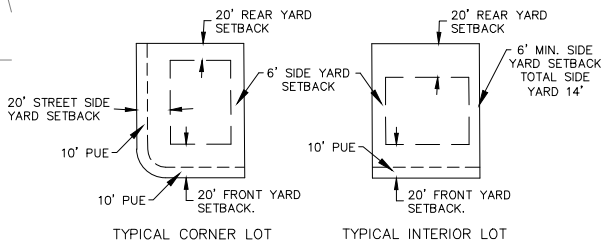
DEVELOPER: FLAGSHIP HOMES
170 SOUTH INTERSTATE PLAZA, SUITE 250
LEHI, UT 84043 801-766-4442

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4644



VICINITY MAP
NTS

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	21.55	58.00	21°17'34"	10.90	21.43	N6°08'07"E
C2	58.78	228.00	14°46'13"	29.55	58.61	N82°28'54"W
C3	23.53	15.00	89°52'00"	14.97	21.19	S44°56'00"E
C4	23.60	15.00	90°08'00"	15.03	21.24	N45°04'00"E
C5	46.48	272.00	9°47'25"	23.30	46.42	N10°01'26"W
C6	55.79	300.00	10°39'16"	27.97	55.71	N9°35'30"W
C7	65.09	328.00	11°22'12"	32.65	64.98	N9°14'02"W
C8	23.56	15.00	90°00'00"	15.00	21.21	N59°55'08"W
C9	14.12	27.00	29°57'50"	7.23	13.96	S60°05'57"W
C10	278.01	58.00	274°38'14"	53.49	78.64	S2°26'09"W
C11	30.48	27.00	64°40'24"	17.09	28.88	S72°34'56"E
C12	23.56	15.00	90°00'00"	15.00	21.21	N30°04'52"E
C13	9.75	15.00	37°15'01"	5.06	9.58	S3°42'22"W
C14	5.62	58.00	5°32'58"	2.81	5.62	N19°33'23"E
C15	72.78	58.00	71°53'51"	42.06	68.10	N81°03'57"E
C16	63.76	58.00	62°59'08"	35.53	60.60	S31°29'34"E
C17	77.05	58.00	76°06'51"	45.41	71.51	S38°03'25"W
C18	64.42	58.00	63°38'25"	35.99	61.16	N72°03'56"W



ZONE SFD 8

SETBACK AND EASEMENT DETAIL

ACCEPTANCE BY LEGISLATIVE BODY

VINEYARD PLANNING COMMISSION CHAIR	VINEYARD ATTORNEY
DATE: ____/____/____	DATE: ____/____/____
VINEYARD ENGINEER	CITY MANAGER
DATE: ____/____/____	DATE: ____/____/____
CLERK/RECORDER	
DATE: ____/____/____	

SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 5152741, IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS DEDICATION PLAT, I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN ON THIS PLAT, I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

(SURVEYOR), P.L.S. _____

DATE _____

BOUNDARY DESCRIPTION

A parcel of land which is situate in the Northwest Quarter of Section 17, Township 6 South, Range 2 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at a point which is North 89°25'01" East 328.62 feet along the section line and South 1262.63 feet from the Northwest Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and Meridian: thence East 112.50 feet; thence North 89°59'56" East 56.00 feet; thence East 112.50 feet; thence South 27.50 feet; thence North 89°59'57" East 80.00 feet; thence North 78°46'45" East 98.04 feet; thence North 74°40'49" East 90.00 feet; thence North 14°55'08" West 85.56 feet; thence North 75°04'52" East 62.24 feet; thence Northerly 21.55 feet along the arc of a 58.00 foot radius curve to the left, through a central angle of 21°17'34", the chord of which bears North 06°08'07" East 21.43 feet; thence North 75°04'52" East 98.56 feet; thence South 14°55'08" East 484.81 feet; thence South 79°55'12" West 119.36 feet; thence North 85°56'11" West 56.60 feet; thence North 89°52'00" West 119.79 feet; thence North 00°08'00" East 27.50 feet; thence North 89°52'00" West 229.73 feet; thence South 103.98 feet; thence Westerly 58.78 feet along the arc of a 228.00 foot radius curve to the left, through a central angle of 14°46'13", the chord of which bears North 82°28'54" West 58.61 feet; thence North 89°52'00" West 39.43 feet; thence Northwesterly 23.53 feet along the arc of a 15.00 foot radius curve to the right, through a central angle of 89°52'00", the chord of which bears North 44°56'00" West 21.19 feet; thence North 89°47'43" West 56.00 feet; thence Southwesterly 23.60 feet along the arc of a 15.00 foot radius curve to the right, through a central angle of 90°08'00", the chord of which bears South 45°04'00" West 21.24 feet; thence North 89°52'00" West 97.47 feet; thence North 392.09 feet to the point of beginning.

6.40 acres more or less.

Basis of bearing: The line between the Northwest Corner and the North Quarter Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and meridian which bears North 89°25'01" East.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, PARCELS AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS PARKSIDE AT WATERS EDGE PLAT "D", AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES.

IN WITNESS WHEREOF, WE HAVE HERE UNTO SET OUR HANDS THIS _____ DAY OF _____ A.D. 20 ____.

SIGNATURE _____ PRINT NAME _____ TITLE & ENTITY _____

SIGNATURE _____ PRINT NAME _____ TITLE & ENTITY _____

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF UTAH
ON THIS THE _____ DAY OF _____, A.D. 20 ____ ,
PERSONALLY APPEARED BEFORE ME,

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

PLAT " D "

PARKSIDE AT WATERS EDGE

A RESIDENTIAL SUBDIVISION

RECORDING INFORMATION

VINEYARD, UTAH COUNTY, UTAH

SCALE: 1"= 50 FEET

SURVEYOR SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDED SEAL
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VINEYARD CITY COUNCIL STAFF REPORT

Date: 03-28-2018

Agenda Item: Consent e) Property Realignment

From: Jacob McHargue

Department: Finance

Subject: Shores Property Line Correction

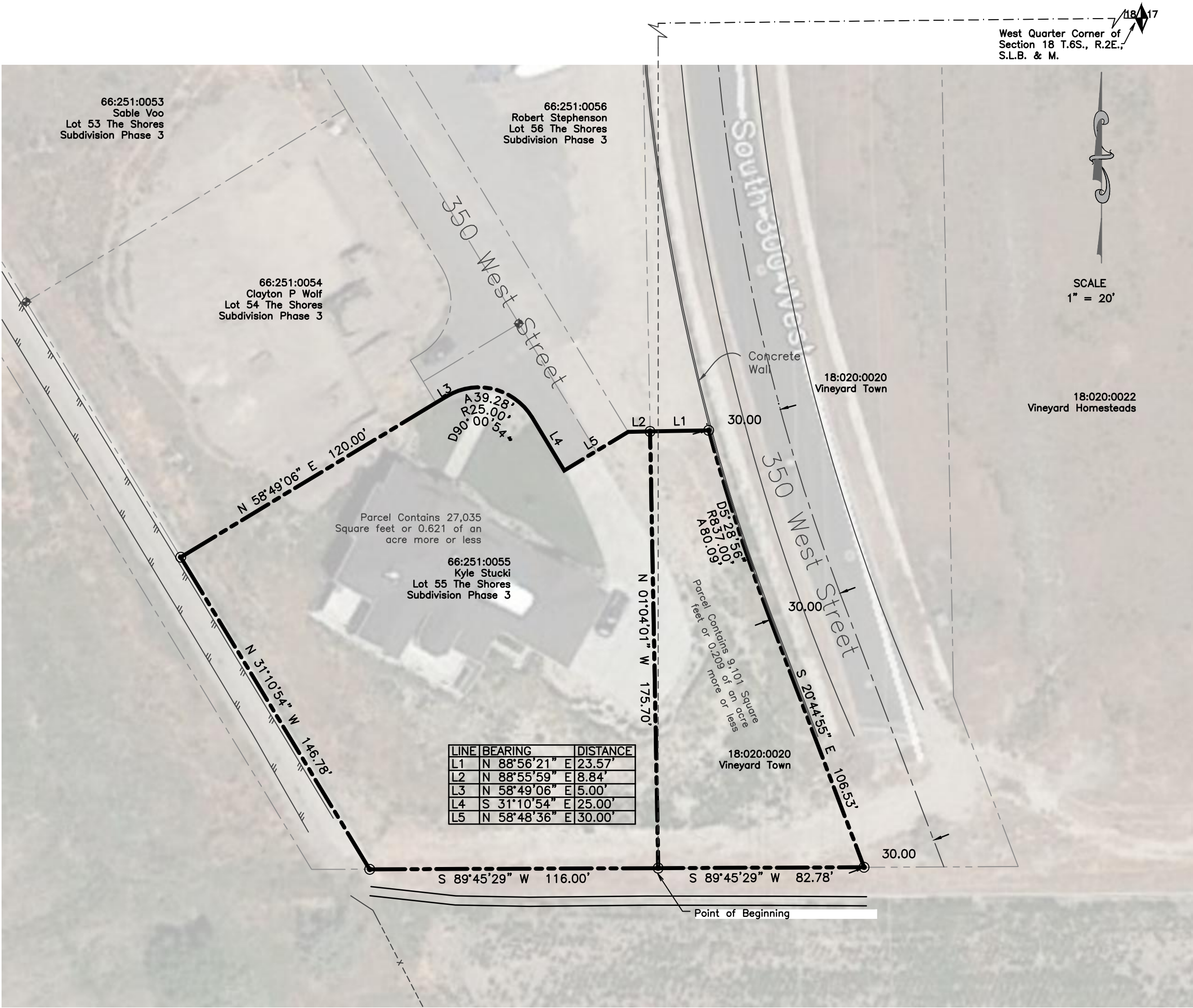
Background/Discussion: During the platting process of the Shores subdivisions there was a property conveyance made to the City that in part should have been included in the adjacent property owner's lots which are lot 55 and lot 56.

Fiscal Impact: none

Recommendation: Our recommendation is that we deed the land to the property owners with the understanding that the property owners will obtain a survey at their expense and pay any recording and documentation fees assessed by the county.

Alternatives: the city could choose to retain the property which would require us to landscape and maintain the property that is actually behind the concrete fence adjacent to 300 West.

Attachments: Survey



Surveyor's Narrative

It is the intent of this plat and the survey on which it is based to correctly represent the Boundary lines of the subject parcel as requested by Kyle Stucki. The basis of bearing for this survey is the Utah Coordinate System of 1983, Central Zone, surveyed in March 2018, using a Trimble R8 GPS Rover connected via a cellular device to the Utah VRS Network (T.U.R.N. The Utah Reference Network). As part of this survey, CIS has conducted field searches for evidence and monuments. Found evidence are represented hereon.

Every document of record reviewed and considered as part of this survey is noted below. There may exist other evidence, monuments or documents that could affect this survey. Any new evidence, monuments or documents contradictory to this survey should be presented to the surveyor for his review and consideration.

- 1. The Shores Subdivision Phase 3
- 2. Utah County Tie Sheets

Surveyed Boundary Descriptions

Parcel 66:251:0055
Beginning at a point on the Southeast Corner of Lot 55 of the Shores Subdivision Phase 3 Plat, said point also lies S89°38'03"W 1837.65 feet and South 2147.74 Feet from the East Quarter Corner of Section 18 Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence S. 89°45'29" W. 116.00 feet to the Southwest corner of said Lot 55, thence N. 31°10'54" W. 146.78 feet to the Northwest corner of said Lot 55, thence N. 58°49'06" E. 120.00 feet to the edge of a private road 350 W, thence following the said road the following 4 courses, (1) N. 58°49'06" E. 5.00 feet, (2) along a curve turning to the right with an arc length of 39.28 feet, a radius of 25.00 feet and a chord bearing and distance of S. 76°10'54" E. 35.36 feet, (3) S. 31°10'54" E. 25.00 feet, (4) N. 58°48'36" E. 30.00 feet, thence N. 88°55'59" E. 8.84 feet to the Northeast Corner of said Lot 55, thence S. 01°04'01" E. 175.70 feet to the point of beginning. The above described parcel of land contains 27,035 square feet in area or 0.621 of an acre more or less.

Parcel 18:020:0022
Beginning at a point on the Southeast Corner of Lot 55 of The Shores Subdivision Phase 3 Plat, said point also lies S89°38'03"W 1837.65 feet and South 2147.74 Feet from the East Quarter Corner of Section 18 Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence N. 01°04'01" W. 175.70 feet along the West line of said Lot 55 to the Northeast Corner of said Lot 55, thence N. 88°56'21" E. 23.57 feet to a point that is .62 feet from a Concrete Wall, said point also lies 30.00 feet from the Centerline of 300 West Street, thence running parallel to said Concrete Wall and also running parallel to the Centerline of said 300 West Street the following 2 courses (1) along a curve turning to the left with an arc length of 80.09 feet, a radius of 837.00 feet and a chord bearing and distance of S. 18°00'24" E. 80.06 feet, (2) S. 20°44'55" E. 106.53 feet, thence S. 89°45'29" W. 82.78 feet to the point of beginning. The above described parcel of land contains 9,101 square feet in area or 0.209 of an acre more or less.

LEGEND & KEYED NOTES

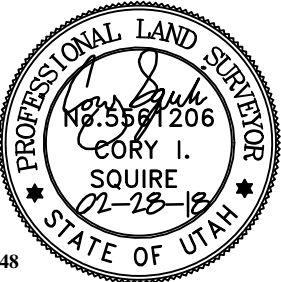
- Found Monument
- Set "CIS" Survey Marker
- Boundary Line
- Deed line
- Center line

Surveyor's Certificate

I, Cory I. Squire, do hereby certify that I am a Professional Land Surveyor, holding certificate number 5561206, as prescribed by the laws of the State of Utah. I further certify that I have directly supervised a survey of the parcel(s) of land represented hereon and have had staked on the ground the boundary corners as shown on this plat.
Cory I. Squire Utah PLS No.5561206

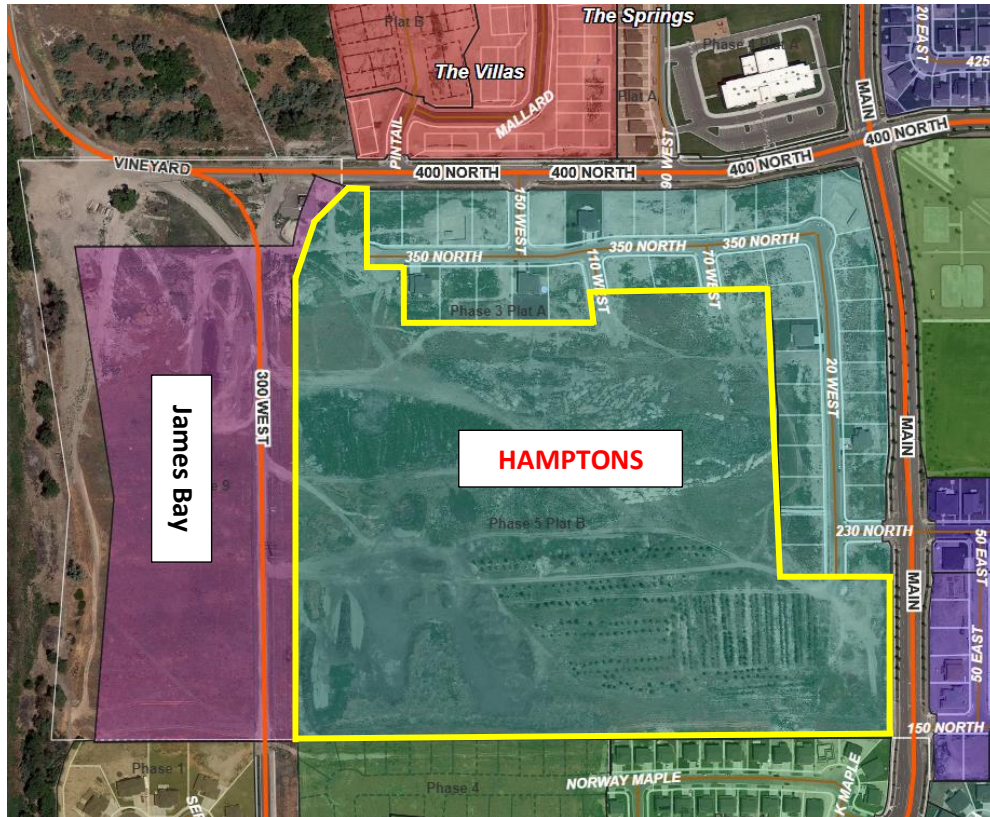


Professional Land Surveying
290 South Main Street, Nephi, Utah 84648
Phone: 435.660.0816 Email: cory@cislps.com



Community Development

Date: March 28, 2018
From: Elizabeth Hart, Planner
To: City Council
Item: Hamptons Preliminary Subdivision Plat
Address: 300 West 200 North
Applicant: Flagship Development Inc.



INTRODUCTION:

The applicant is proposing an amended preliminary subdivision plat for the Hamptons subdivision to accommodate the proposed church parcel. The plat consists of a total 93 SFD lots and 1 parcel for a church, located at 300 West and 200 North.

The planning commission recommended approval of the preliminary plat on March 7, 2018. Staff has reviewed the preliminary plat application and has found it in compliance with the Waters Edge Zoning ordinance.

ANALYSIS:

The plat shows two areas, A and B, the zoning differs between area A and area B; area A is part of the 10,000 SFD zone, while area B is part of the 15,000 SFD zone. The church parcel is part of Area B and is 167,084 SF/ 3.08 acres. Area A has 49 lots and Area B has 45 lots (includes church parcel). The plat

shows the lots for the Hamptons Plat A, which has been recorded. Staff has verified that the recorded lots have not changed in size.

Below is a summary of the zoning requirements for each zone:

REQUIREMENT	Area A SFD 10,000	Area B SFD 15,000	COMPLIANCE	
			Area A	Area B
Minimum Lot Area	10,000'	15,000'	Avg. Lot size is 11,441 SF	Avg. Lot Size is 15,651 SF
Minimum Width at the Front Setback	85'	90'	Yes	Yes
Minimum Width at the Front Setback (Corner Lots)	95'	100'	Yes	Yes
Minimum Width at the Front Setback (Cul-de-sac Lots)	80'		N/A	Yes
Minimum Front Yard Depth	20'		Yes	Yes
Minimum Rear Yard Depth	20'		Yes	Yes
Minimum Side Yard Depth for Interior Lots	8', 18' total side yard		Yes	Yes
Minimum Side Yard Depth for Corner Lots	20'		Yes	Yes
Minimum Depth of Any Lot	100'		Yes	Yes

TRAILS AND OPEN SPACE:

The site plan includes trail corridors that run east to west through the subdivision. Additionally, a five-foot (5') trail easement has been included adjacent to, and along, the church lot. The empty space located along 300 West of the plat has been designated as open space and a trail that is part of the James Bay subdivision plat.

LOT DISPLACEMENT/REALLOCATION:

Thirteen (13) lots were displaced by the church parcel, six (6) of those lots were 10,000 SF lots and seven (7) were 15,000 SF lots. The applicant has provided a narrative describing the lots displaced and where the lots were reallocated within the development, this document has been attached to this staff report.

FINDINGS:

With the proposed conditions, the proposed plat meets the following findings:

- It is in conformance with the Waters Edge zoning ordinance.

RECOMMENDATION: Staff recommends that the Planning Commission recommend approval of the Hamptons Phase 3 Preliminary Plat to the City Council with the listed conditions.

PROPOSED MOTION:

I move to recommend approval to the city council of the Hamptons Phase 3 Preliminary Plat with the proposed conditions:

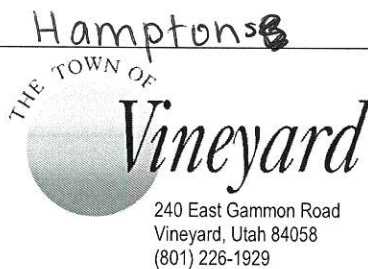
1. The applicant pays any outstanding fees and makes any redline corrections
2. The forthcoming final plat be in conformance with this preliminary plat
3. The applicant is subject to all local, state, and federal laws

Attachments:

Preliminary Plat Application

Preliminary Plat

Lot displacement/Reallocation Narrative



PRELIMINARY SUBDIVISION APPLICATION

Please Note: Attachment of request specific documents is required prior to processing your application.

APPLICATION DATE: 1/11/18

APPLICANT(S): Flagship Development Inc.

ADDRESS OF APPLICANT: 1250 E. 200 S. Ste. 1D Lehi UT 84043

BUSINESS PHONE #: 801-766-4442

CELL PHONE #: 435-218-5656

EMAIL ADDRESS: bronson@forsail.com

FAX NUMBER: 801-466-3337

CURRENT ZONING DISTRICT DESIGNATION: Waters Edge Zone

NUMBER OF PROPOSED NEW LOT: 93

LOCATION/ADDRESS OF PROPOSED FINAL SUBDIVISION: ~ 300 W & 230 N.

TOTAL ACREAGE OF PROPOSED FINAL SUBDIVISION: _____

NAME OF PROPERTY OWNER(S): same as applicant

CHECK APPLICABLE PERMIT ATTACHMENT:

<input type="checkbox"/>	CONDITIONAL USE PERMIT	<input type="checkbox"/>	FINAL PLAT
<input type="checkbox"/>	GENERAL MAP/PLAT AMENDMENT	<input type="checkbox"/>	LAND DISTURBANCE PERMIT
<input type="checkbox"/>	MINOR PLAT AMENDMENT	<input type="checkbox"/>	PERMITTED USE SITE PLAN
<input checked="" type="checkbox"/>	PRELIMINARY SUBDIVISION	<input type="checkbox"/>	ROAD CUT PERMIT
<input type="checkbox"/>	TEMPORARY USE PERMIT	<input type="checkbox"/>	VARIANCE APPLICATION

SIGNATURE OF APPLICANT(S):



Applicant Signature

1/11/18
Date

Co-Applicant Signature

1/1
Date

OFFICE USE ONLY			
DATE RECEIVED		DATE OF APPROVALS	
Initial Submittal	Complete Submittal	Planning Commission	Town Council
Type of Request	Staff Comments:		
PAYMENT INFORMATION			
Amount Due	Date Paid	Amount Paid	Check #

Only fully completed submittals may be accepted in office. If the submittal is incomplete in any way, it must be returned to the applicant.

PROPERTY OWNER AFFIDAVIT

STATE OF UTAH }

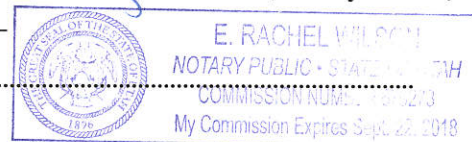
COUNTY OF UTAH}

I, the undersigned, Nathan Hutchinson, as owner(s) of the property identified in the attached application, depose that the statements herein contained in this application and the information provided in the attached plans and exhibits are in all respects true and correct to the best of my knowledge.

(Property Owner)

Subscribed and sworn before me, E. Rachel Wilson, a Notary Public, on this 26 day of January, 2018.

(Notary Public)



AGENT AUTHORIZATION AFFIDAVIT

I, the undersigned, _____, as owner(s) of the real property described in the attached application, do authorize the following:

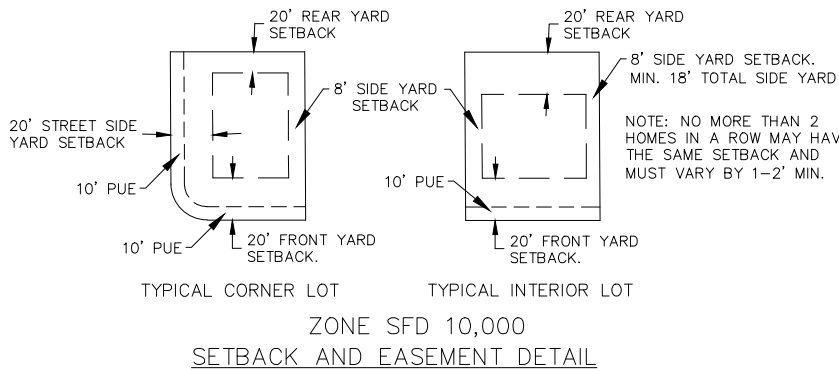
_____, as agent(s) and designated representative(s) regarding the attached application, to appear on my behalf before any administrative or legislative body in the Town of Vineyard considering this application, and to act in all respects as agent(s) in matters pertaining to the attached application.

(Property Owner)

Dated this _____ day of _____, 20 _____, personally appeared before me, _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

My commission expires: _____

WATER'S EDGE AMENDED PHASE 3 PRELIMINARY PLAT
LOCATED IN THE NORTHEAST QUARTER OF
SECTION 18, TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN



LAND USE	
TOTAL ACREAGE:	57.18 acres
TOTAL OPEN SPACE:	0.24 acres
TOTAL LOTS:	136
NO. LOTS / ACRE:	2.38
NO. LOTS AREA A:	72
AVE. LOT SIZE AREA A:	11,441 SF
ZONING AREA A:	SDF-10,000

OPEN SPACE
DEDICATED TO
VINEYARD

NOTES:
1- THIS AREA HAS HISTORICALLY HAD A HIGH WATER TABLE, AND THE TOWN OF VINEYARD WILL HAVE NO LIABILITY FOR ANY DAMAGES DUE TO THE HIGH WATER TABLE. A LAND DRAIN FOR EACH LOT WILL BE REQUIRED AND MAINTAINED BY THE PROPERTY OWNER.
2- PROPERTY OWNERS SHOULD BE AWARE THAT THIS AREA IS LOCATED IN THE VICINITY OF A RAILROAD SYSTEM.
3- ALL ROADS TO BE DEDICATED TO THE TOWN OF VINEYARD.

DEVELOPER: FLAGSHIP HOMES
170 SOUTH INTERSTATE PLAZA, SUITE 250
LEHI, UT 84043 801-766-4442

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

ACCEPTANCE BY LEGISLATIVE BODY

VINEYARD PLANNING COMMISSION CHAIR	VINEYARD ATTORNEY
DATE: __/__/__	DATE: __/__/__
VINEYARD ENGINEER	CITY MANAGER
DATE: __/__/__	DATE: __/__/__
CLERK/RECORDER	
DATE: __/__/__	

SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 5152741, IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS DEDICATION PLAT, I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN ON THIS PLAT, I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

(SURVEYOR), P.L.S. _____ DATE _____
BOUNDARY DESCRIPTION

Commencing at a point which is South 143.75 feet West 143.13 feet from the Northeast Corner of Section 18, Township 6 South, Range 2 East, Salt Lake Base and Meridian: thence South 12°00'00" East 199.21 feet; thence southerly 268.37 feet along the arc of a 1449.00 foot radius curve to the right, the cord of which bears South 06°41'39" East 267.98 feet; thence South 01°23'18" East 301.54 feet; thence southerly 10.80 feet along the arc of a 61.50 foot radius curve to the right, the chord of which bears South 02°24'32" West 10.79 feet; thence South 67°22'33" West 77.52 feet; thence southerly 15.71 feet along the arc of a 118.50 foot radius curve to the left, the cord of which bears South 02°24'33" West 15.70 feet; thence South 01°23'18" East 100.91 feet; thence southerly 11.96 feet along the arc of a 7.50 foot radius curve to the Right, the cord of which bears South 44°18'20" West 10.73 feet; thence South 89°59'57" West 2.18 feet; thence South 00°00'03" East 56.00 feet; thence North 89°59'57" East 8.42 feet; thence southeasterly 23.43 feet along the arc of a 15.00 foot radius curve to the right, the cord of which bears South 45°15'22" East 21.12 feet; thence South 00°00'24" East 502.78 feet; thence South 01°11'08" East 10.34 feet; thence South 89°59'55" West 1647.93 feet; thence North 01°03'51" West 508.10 feet; thence North 75°39 feet; thence North 19°09'17" East 187.46 feet; thence North 79.03 feet; thence Easterly 75.33 feet along the arc of a 447.50 foot radius curve to the left, through a central angle of 09°38'39", the cord of which bears South 85°10'10" East 75.24 feet; thence South 89°59'30" East 459.27 feet; thence southerly 4.71 feet along the arc of a 3.00 foot radius curve to the right, the cord of which bears South 44°59'46" East 4.24 feet; thence North 89°59'26" East 56.00 feet; thence northerly 4.71 feet along the arc of a 3.0 foot radius curve to the right, the cord of which bears North 45°00'14" East 4.24 feet; thence South 89°59'30" East 484.95 feet; thence easterly 184.18 feet along the arc of a 797.50 foot radius curve to the left, the cord of which bears North 83°23'32" East 183.77 feet; thence North 76°46'33" East 35.58 feet; thence easterly 9.88 feet along the arc of a 74.50 foot radius curve to the right, the cord of which bears North 80°34'23" East 9.88 feet; thence North 84°22'14" East 77.52 feet; thence easterly 16.64 feet along the arc of a 125.50 foot radius curve to the left, the cord of which bears North 80°34'23" East 16.62 feet; thence North 76°46'33" East 98.20 feet; thence Southeasterly 15.13 feet along the arc of a 9.50 foot radius curve to the right, the cord of which bears South 57°36'43" East 13.58 feet to the point of beginning.

Parcel contains: 57.18 acres more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, PARCELS AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS WESTBROOK AT WATERS EDGE PLAT "D", AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES.

IN WITNESS WHEREOF, WE HAVE HERE UNTO SET OUR HANDS THIS _____ DAY OF _____ A.D. 20 ____.

SIGNATURE _____ PRINT NAME _____ TITLE & ENTITY _____

SIGNATURE _____ PRINT NAME _____ TITLE & ENTITY _____

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF UTAH } S.S.
ON THIS THE _____ DAY OF _____, A.D. 20 ____ ,
PERSONALLY APPEARED BEFORE ME,

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

SHEET 1 OF 2

AMENDED PHASE 3 PRELIMINARY PLAT

WATER'S EDGE
A RESIDENTIAL SUBDIVISION

RECORDING INFORMATION			
VINEYARD, UTAH COUNTY, UTAH SCALE: 1"= 80 FEET			
SURVEYOR SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDED SEAL

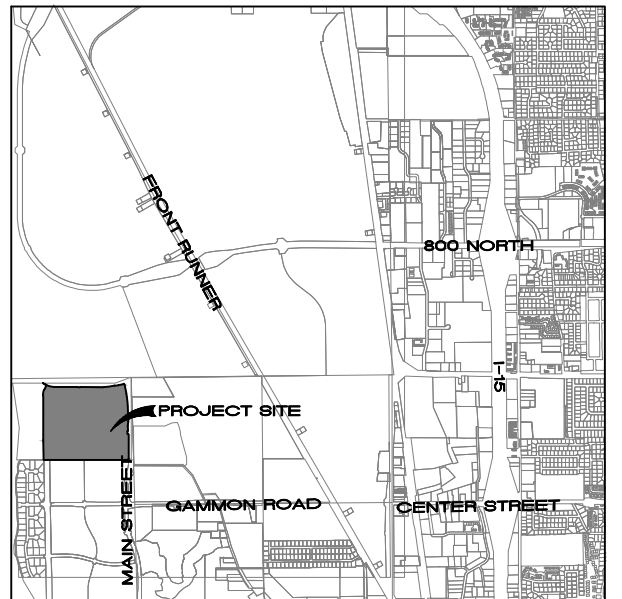
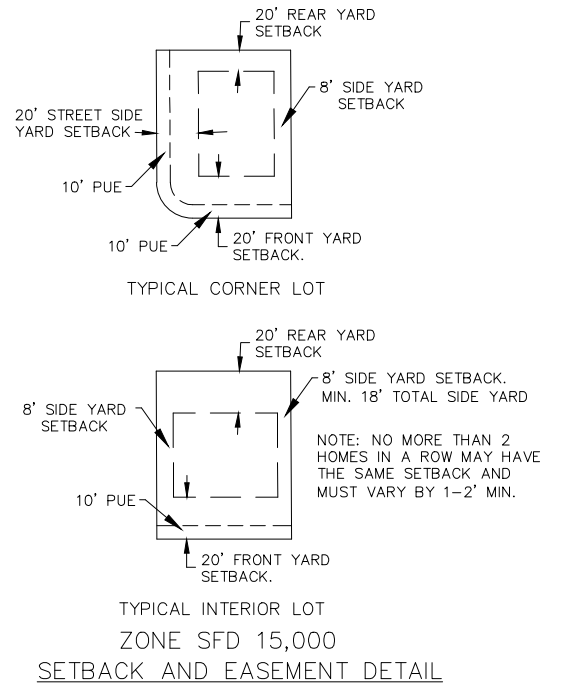
WATER'S EDGE AMENDED PHASE 3 PRELIMINARY PLAT

LOCATED IN THE NORTHEAST QUARTER OF
SECTION 18, TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

AREA A



(24"x36")
SCALE: 1" = 80'
(11"x17")
SCALE: 1" = 160'



VICINITY MAP

SHEET 2 OF 2

AMENDED PHASE 3 PRELIMINARY PLAT

WATER'S EDGE

A RESIDENTIAL SUBDIVISION

LAND USE	
TOTAL ACREAGE:	57.18 acres
TOTAL OPEN SPACE:	0.24 acres
TOTAL LOTS:	136
NO. LOTS / ACRE:	2.38
NO. LOTS AREA B:	63
AVE. LOT SIZE AREA B:	15,651 SF
ZONING AREA B:	SDF-15,000



NOTES:
1- THIS AREA HAS HISTORICALLY HAD A HIGH WATER TABLE, AND THE TOWN OF VINEYARD WILL HAVE NO LIABILITY FOR ANY DAMAGES DUE TO THE HIGH WATER TABLE. A LAND DRAIN FOR EACH LOT WILL BE REQUIRED AND MAINTAINED BY THE PROPERTY OWNER.
2- PROPERTY OWNERS SHOULD BE AWARE THAT THIS AREA IS LOCATED IN THE VICINITY OF A RAILROAD SYSTEM.
3- ALL ROADS TO BE DEDICATED TO THE TOWN OF VINEYARD.

DEVELOPER: FLAGSHIP HOMES
170 SOUTH INTERSTATE PLAZA, SUITE 250
LEHI, UT 84043 801-766-4442

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

ACCEPTANCE BY LEGISLATIVE BODY

VINEYARD PLANNING COMMISSION CHAIR	VINEYARD ATTORNEY
DATE: ___/___/___	DATE: ___/___/___
VINEYARD ENGINEER	CITY MANAGER
DATE: ___/___/___	DATE: ___/___/___
CLERK/RECORDER	
DATE: ___/___/___	

RECORDING INFORMATION			
VINEYARD, UTAH COUNTY, UTAH SCALE: 1"= 80 FEET			
SURVEYOR SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDED SEAL



February 28th, 2018

Morgan Brimm, Vineyard Planner Director
Kinsli McDermott, Vineyard Deputy Recorder
Vineyard Town Hall
125 South Main Street
Vineyard, Utah 84058

RE: Waters Edge Hampton Preliminary Plat Lot Displacement caused by adding the church Lot

Dear Morgan,

Below is an outline of the 15,000 & 10,000 SF lot displacement caused by adding the church lot in the Hampton Preliminary Plat and where those lots have been replaced.

Original Hampton (Phase 3) Preliminary Plat

147 Total Lots

84 10,000 SF Lots (Lots 10 & 25 are on the 10,000 SF side and are over 15,000 SF because they are exterior corner lots)

63 15,000 SF Lots

New Hampton Preliminary Plat

134 Total Lots – 13 lots displaced by the church lot

78 10,000 SF Lots - Need to make up (6) 10,000 SF lots

56 15,000 SF Lots – Need to make up (7) 15,000 SF lots

Hampton

Lots 10 is 19,823 SF and displaces a 10,000 SF lot

Lot 105 is 15,517 SF and displaces a 10,000 SF lot

Lot 96 is 15,000 SF and displaces a 10,000 SF lot

Lot 97 is 15,005 SF and displaces a 10,000 SF lot

Lot 98 is 15,001 SF and displaces a 10,000 SF lot

Lot 133 is 15,001 SF and displaces a 10,000 SF lot

Lot 134 is 15,006 SF and displaces a 10,000 SF lot

All the 15,000 SF lots have been replaced in the new Hampton preliminary plat

Parkside

Lot 1 is 10,949 SF

Lot 11 is 14,880 SF

Lot 12 is 12,887 SF

Lot 13 is 10,105 SF

Lot 25 is 10,356 SF

Lot 42 is 12,009 SF

Lot 43 is 16,480 SF

Lot 44 is 10,475 SF

Lot 45 is 10,228 SF

Parkside replaces 9 of the 13 displaced 10,000 SF lots

Willows

Lot 5 is 10,289 SF

Lot 7 is 14,235 SF

Lot 8 is 12,763 SF

Lot 9 is 10,412 SF

Willows replaces the remaining 4 displaced 10,000 SF lots

If you have any questions or need further clarification, please don't hesitate to let us know.

Best,

A handwritten signature in black ink, appearing to read "Bronson Tatton". The signature is fluid and cursive, with a large initial "B" and a stylized "T".

Bronson Tatton

Professional Landscape Architect/Planner

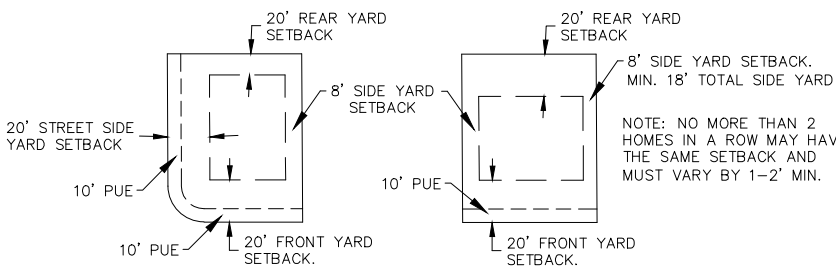
WATER'S EDGE AMENDED PHASE 3 PRELIMINARY PLAT

LOCATED IN THE NORTHEAST QUARTER OF
SECTION 18, TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

Blue denotes lots that replace 15,000 SF lots



(24"x36")
SCALE: 1" = 80'
SCALE: 1" = 160'



TYPICAL CORNER LOT TYPICAL INTERIOR LOT

ZONE SFD 10,000
SETBACK AND EASEMENT DETAIL

SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 5152741, IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS DEDICATION PLAT, I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN ON THIS PLAT, I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

(SURVEYOR), P.L.S. DATE
BOUNDARY DESCRIPTION

Commencing at a point which is South 143.75 feet West 143.13 feet from the Northeast Corner of Section 18, Township 6 South, Range 2 East, Salt Lake Base and Meridian: thence South 12°00'00" East 199.21 feet; thence southerly 268.37 feet along the arc of a 1449.00 foot radius curve to the right, the cord of which bears South 06°41'39" East 267.98 feet; thence South 01°23'18" East 301.54 feet; thence southerly 10.80 feet along the arc of a 61.50 foot radius curve to the right, the chord of which bears South 02°24'33" West 10.79 feet; thence South 61°22'33" West 77.52 feet; thence southerly 15.71 feet along the arc of a 118.50 foot radius curve to the left, the cord of which bears South 02°24'33" West 15.70 feet; thence South 01°23'18" East 100.91 feet; thence southerly 11.96 feet along the arc of a 7.50 foot radius curve to the right, the cord of which bears South 44°18'20" West 10.73 feet; thence South 89°59'57" West 2.18 feet; thence South 00°00'03" East 56.00 feet; thence North 89°59'57" East 8.42 feet; thence southeasterly 23.43 feet along the arc of a 15.00 foot radius curve to the right, the cord of which bears South 45°15'22" East 21.12 feet; thence South 00°00'24" East 502.78 feet; thence South 01°11'08" East 10.34 feet; thence South 89°59'55" West 1647.93 feet; thence North 01°03'51" West 508.10 feet; thence North 75°59'39 feet; thence North 19°09'17" East 187.46 feet; thence North 79.03 feet; thence Easterly 75.33 feet along the arc of a 447.50 foot radius curve to the left, through a central angle of 09°38'39", the cord of which bears South 85°10'10" East 75.24 feet; thence South 89°59'30" East 459.27 feet; thence southerly 4.71 feet along the arc of a 3.00 foot radius curve to the right, the cord of which bears South 44°59'46" East 4.24 feet; thence North 89°59'26" East 56.00 feet; thence northerly 4.71 feet along the arc of a 3.0 foot radius curve to the right, the cord of which bears North 45°00'14" East 4.24 feet; thence South 89°59'30" East 484.95 feet; thence easterly 184.18 feet along the arc of a 797.50 foot radius curve to the left, the cord of which bears North 83°23'32" East 183.77 feet; thence North 76°46'33" East 35.58 feet; thence easterly 9.88 feet along the arc of a 74.50 foot radius curve to the right, the cord of which bears North 80°34'23" East 9.88 feet; thence North 84°22'14" East 77.52 feet; thence easterly 16.64 feet along the arc of a 125.50 foot radius curve to the left, the cord of which bears North 80°34'23" East 16.62 feet; thence North 76°46'33" East 98.20 feet; thence Southeasterly 15.13 feet along the arc of a 9.50 foot radius curve to the right, the cord of which bears South 57°36'43" East 13.58 feet to the point of beginning.

Parcel contains: 57.18 acres more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, PARCELS AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS WESTBROOK AT WATERS EDGE PLAT "D", AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES.

IN WITNESS WHEREOF, WE HAVE HERE UNTO SET OUR HANDS THIS ____ DAY OF ____ A.D. 20 ____.

SIGNATURE PRINT NAME TITLE & ENTITY

SIGNATURE PRINT NAME TITLE & ENTITY

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF UTAH } S.S.
ON THIS THE ____ DAY OF _____, A.D. 20 ____ ,
PERSONALLY APPEARED BEFORE ME,

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

SHEET 1 OF 2

AMENDED PHASE 3 PRELIMINARY PLAT

WATER'S EDGE
A RESIDENTIAL SUBDIVISION

RECORDING INFORMATION

VINEYARD, UTAH COUNTY, UTAH

SCALE: 1"= 80 FEET

SURVEYOR SEAL

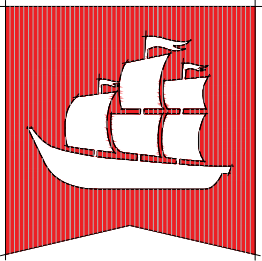
NOTARY PUBLIC SEAL

CITY-COUNTY ENGINEER SEAL

CLERK-RECORDED SEAL

ACCEPTANCE BY LEGISLATIVE BODY

VINEYARD PLANNING COMMISSION CHAIR	VINEYARD ATTORNEY
DATE: ____/____/____	DATE: ____/____/____
VINEYARD ENGINEER	CITY MANAGER
DATE: ____/____/____	DATE: ____/____/____
CLERK/RECORDER	
DATE: ____/____/____	



flagship
homes

1250 East 200 South, Ste. 1D
Lehi | Utah | 84043



call 811 or visit www.bluestakes.org
before you dig to have all utilities
located and marked

LOT DISPLACEMENT EXHIBIT
WATERS EDGE MASTER PLANNED COMMUNITY
Vineyard, Utah

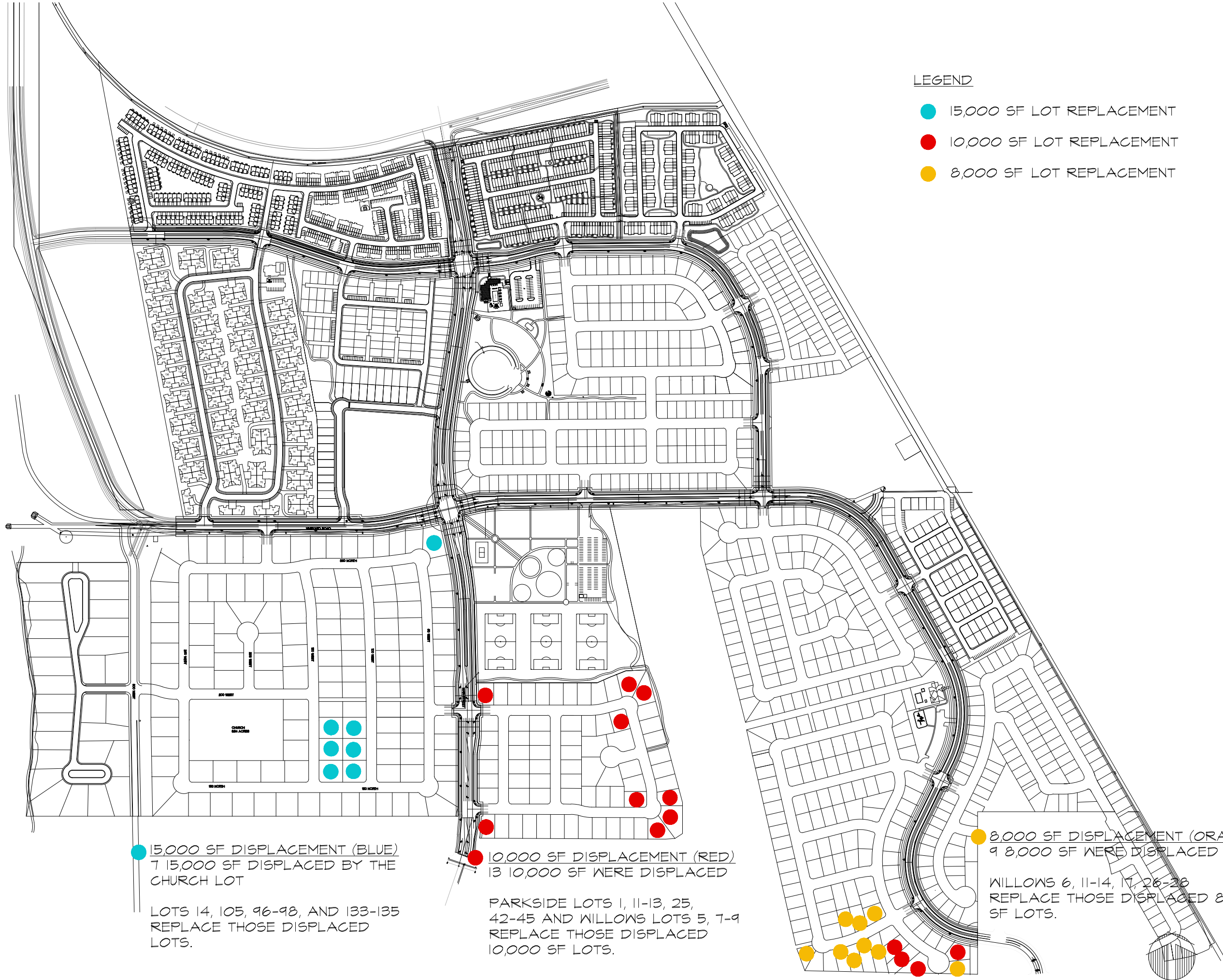
MARCH 13, 2018

H A M P T O N
lot displacement

A

LEGEND

- 15,000 SF LOT REPLACEMENT
- 10,000 SF LOT REPLACEMENT
- 8,000 SF LOT REPLACEMENT



15,000 SF DISPLACEMENT (BLUE)
7 15,000 SF DISPLACED BY THE
CHURCH LOT

LOTS 14, 105, 96-98, AND 133-135
REPLACE THOSE DISPLACED
LOTS.

10,000 SF DISPLACEMENT (RED)
13 10,000 SF WERE DISPLACED

PARKSIDE LOTS 1, 11-13, 25,
42-45 AND WILLOWS LOTS 5, 7-9
REPLACE THOSE DISPLACED
10,000 SF LOTS.

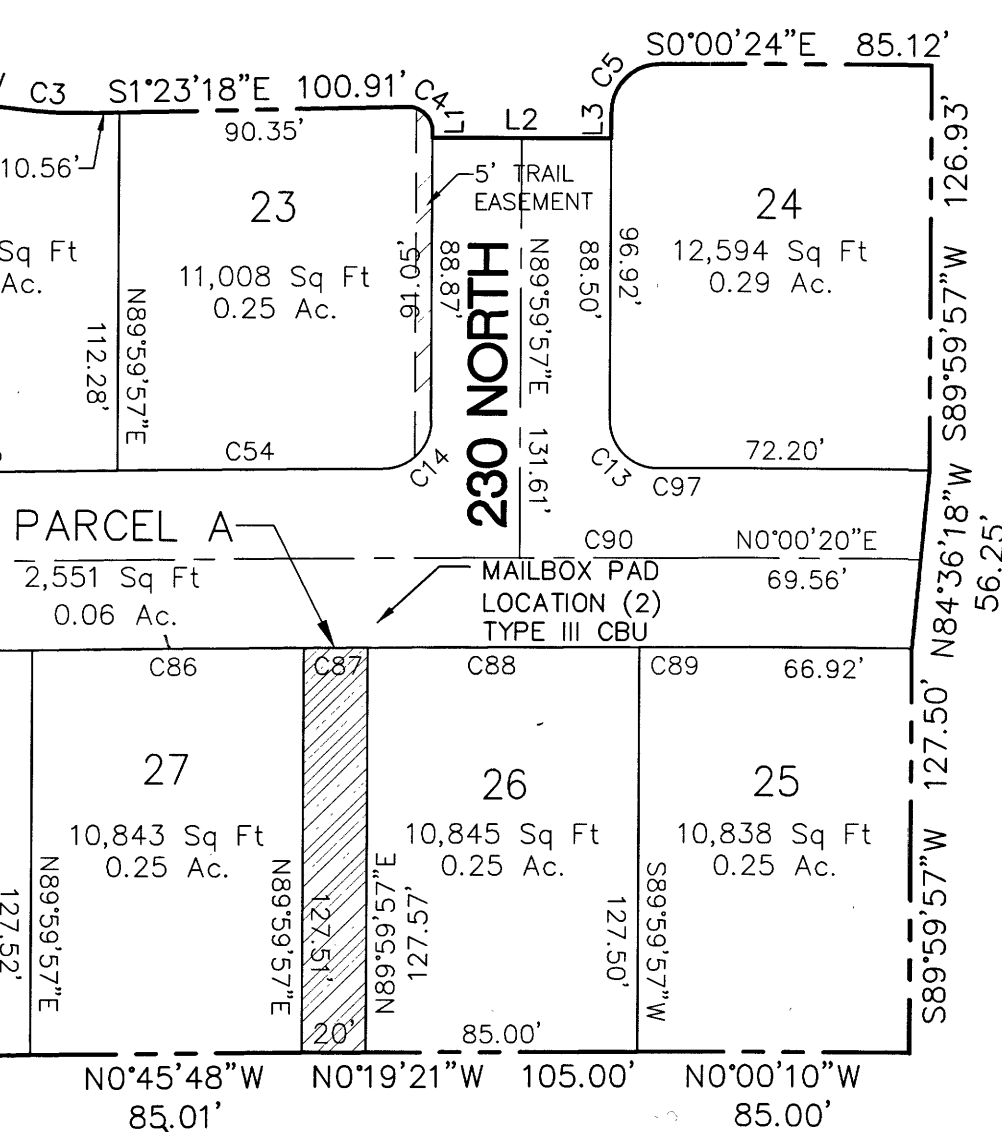
8,000 SF DISPLACEMENT (ORANGE)
9 8,000 SF WERE DISPLACED

WILLOWS 6, 11-14, 17, 26-28
REPLACE THOSE DISPLACED 8,000
SF LOTS.

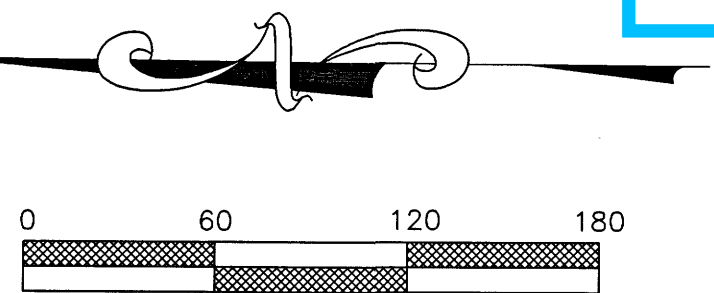
FOUND BRASS CAP
NORTHEAST CORNER OF SECTION 18,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

SOUTH
143.75'

MAIN STREET



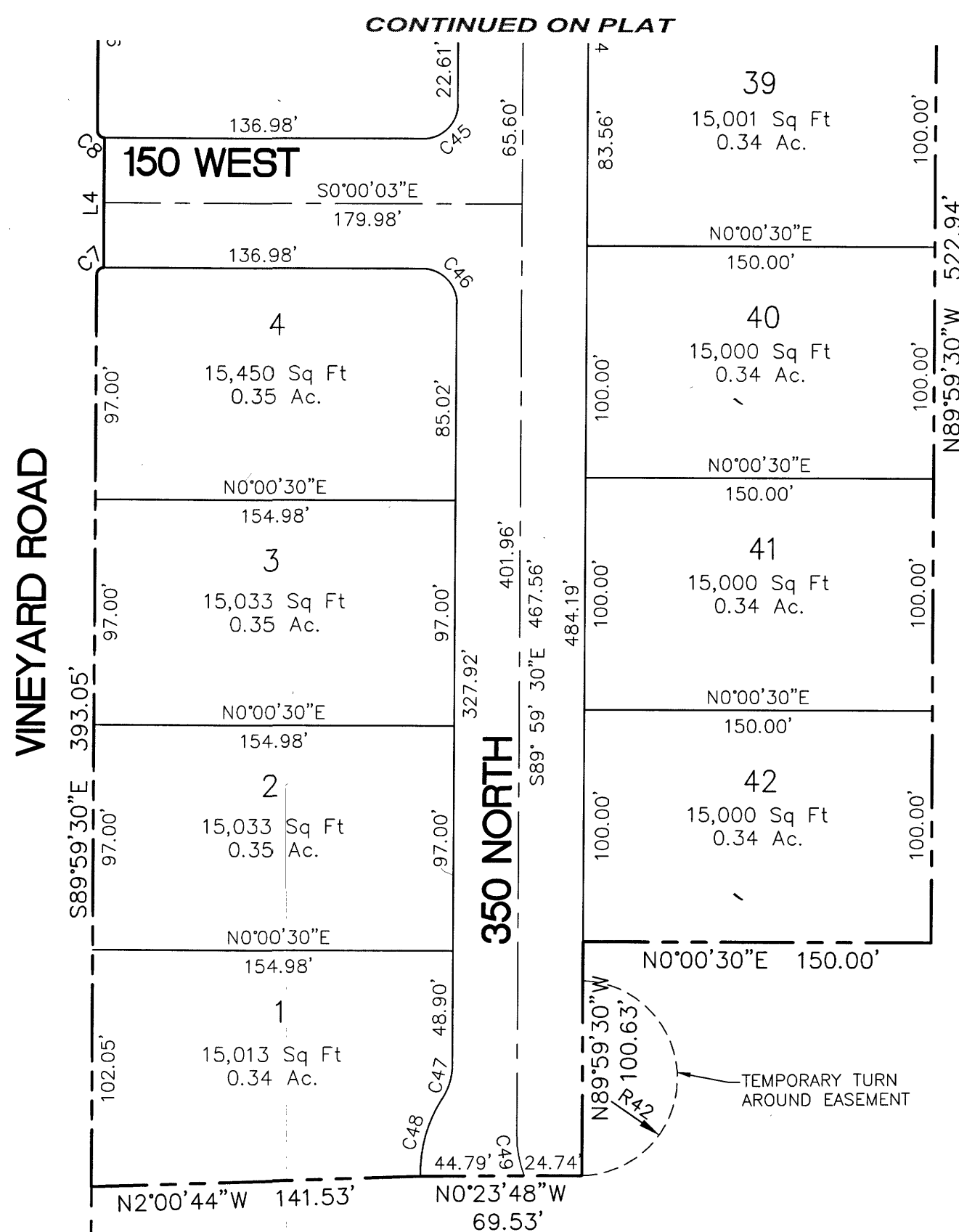
Blue denotes lots replacing 15,000 SF lots



(24"x36")
SCALE: 1" = 60'
(11"x17")
SCALE: 1" = 120'

OPEN SPACE
DEDICATED TO
VINEYARD

CONTINUED ON PLAT



CONTINUED ON PLAT

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	268.37	1449.00	10°36'42"	134.57	267.98	S6°41'39"E
C2	10.80	81.50	7°35'40"	5.41	10.79	S2°24'32"W
C3	15.71	118.50	7°35'41"	7.87	15.70	S2°24'33"W
C4	11.96	7.50	91°23'15"	7.68	10.73	S44°18'20"W
C5	23.43	15.00	89°29'22"	14.87	21.12	S45°15'22"E
C6	78.08	1116.00	4°00'31"	39.06	78.06	S9°04'40"E
C7	4.71	3.00	89°59'27"	3.00	4.24	S44°59'46"E
C8	4.71	3.00	90°00'33"	3.00	4.24	N45°00'14"E
C9	184.18	797.50	1°13'57"	92.50	183.77	N83°23'32"E
C10	9.88	74.50	7°35'41"	4.94	9.87	N80°34'23"E
C11	16.64	125.50	7°35'41"	8.33	16.62	N80°34'23"E
C12	15.13	9.50	91°13'27"	9.71	13.58	S57°36'43"E
C13	23.58	15.00	90°03'07"	15.01	21.22	S44°58'23"W
C14	23.45	15.00	89°33'18"	14.88	21.13	S45°13'24"E
C15	590.11	12494.17	2°42'22"	295.11	590.05	N1°20'51"W
C16	492.76	12522.17	2°15'17"	246.41	492.72	N1°34'24"W
C17	570.70	12466.17	2°37'23"	285.40	570.65	N1°23'20"W
C18	223.05	1793.94	7°07'27"	111.67	222.91	N6°15'45"W
C19	254.97	1765.94	8°16'21"	127.71	254.75	N6°50'13"W
C20	248.98	1737.94	8°12'30"	124.71	248.77	N6°48'17"W
C21	21.40	27.00	45°25'22"	11.30	20.85	S12°53'13"W
C22	169.45	58.00	167°23'43"	525.16	115.30	N48°05'58"W
C23	15.50	27.00	32°54'06"	7.97	15.29	N64°39'14"E
C24	306.45	1972.00	8°54'14"	153.53	306.14	N85°33'24"E
C25	26.11	17.00	87°59'11"	16.41	23.62	N54°54'08"W
C26	182.20	2028.00	5°08'51"	91.16	182.14	N83°40'42"E
C27	65.98	43.00	87°55'20"	41.47	59.70	N54°56'03"W
C28	310.80	2000.00	8°54'14"	155.71	310.49	N85°33'24"E
C29	25.58	15.00	97°41'48"	17.16	22.59	S37°24'14"W
C30	82.14	1583.00	2°58'23"	41.08	82.13	N9°57'28"W
C31	94.57	1555.00	3°29'04"	47.30	94.55	N10°15'28"W
C32	90.47	1527.00	3°23'41"	45.25	90.46	N10°15'31"W
C33	20.77	15.00	79°20'54"	12.44	19.15	N51°37'49"W
C34	52.45	472.00	6°22'01"	26.25	52.42	S86°49'30"W
C35	25.04	15.00	95°38'30"	16.55	22.23	S35°49'15"W
C36	29.73	1172.00	1°27'13"	14.87	29.73	N11°16'24"W
C37	23.81	1144.00	1°11'33"	11.90	23.81	N11°24'14"W
C38	17.88	1116.00	0°55'04"	8.94	17.88	N11°32'28"W
C39	117.53	500.00	13°28'05"	59.04	117.26	S83°16'28"W
C40	124.11	528.00	13°28'05"	62.34	123.83	S83°16'28"W
C41	110.95	472.00	13°28'05"	55.73	110.69	N83°16'28"E
C42	117.53	500.00	13°28'05"	59.04	117.26	N83°16'28"E
C43	23.13	15.00	88°21'13"	14.58	20.91	N56°10'36"W
C44	95.49	528.00	10°21'43"	47.87	95.36	N84°49'39"E
C45	23.56	15.00	89°59'27"	15.00	21.21	S44°59'46"E
C46	23.56	15.00	90°00'33"	15.00	21.21	N45°00'14"E
C47	15.47	27.00	32°49'32"	7.95	15.26	S73°34'44"E
C48	35.31	58.00	34°52'40"	18.22	34.76	N74°36'18"W
C49	17.23	45.00	21°56'07"	8.72	17.12	S79°02'27"W
C50	73.70	1449.00	2°54'52"	36.86	73.70	N10°32'34"W
C51	92.16	1449.00	3°38'39"	46.09	92.14	N7°15'49"W

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	2.18	S89°59'57"W
L2	56.00	S00°00'03"E
L3	8.42	N89°59'57"E
L4	56.00	S89°59'26"E
L5	35.58	N76°46'33"E

DEVELOPER: FLAGSHIP HOMES
170 SOUTH INTERSTATE PLAZA, SUITE 250
LEHI, UT 84043 801-766-4442

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 766-4544

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C52	91.04	1449.00	3°35'59"	45.53	91.02	N3°38'30"W
C53	11.47	1449.00	0°27'12"	5.73	11.47	N1°36'54"W
C54	83.13	12522.17	0°22'49"	41.57	83.13	N0°38'10"W
C55	87.01	12522.17	0°23'53"	43.51	87.01	N1°01'31"W
C56	85.03	12522.17	0°23'21"	42.51	85.03	N1°25'08"W
C57	85.04	12522.17	0°23'21"	42.52	85.04	N1°48'29"W
C58	85.07	12522.17	0°23'21"	42.53	85.07	N2°11'50"W
C59	67.48	12522.17	0°18'32"	33.74	67.48	N2°32'46"W
C60	85.29	1793.94	2°43'26"	42.65	85.28	N4°37'30"W
C61	85.71	1793.94	2°44'15"	42.86	85.71	N7°21'20"W
C62	34.45	1793.94	1°06'01"	17.22	34.45	N9°16'28"W
C63	43.40	58.00	42°52'38"	22.78	42.40	N14°09'34"E
C64	66.23	58.00	65°25'49"	37.26	62.69	N39°59'39"W
C65	59.81	58.00	59°05'16"	32.87	57.20	S77°44'49"W
C66	76.61	1972.00	2°13'33"	38.31	76.61	N82°13'03"E
C67	85.39	1972.00	2°28'52"	42.70	85.38	N84°34'16"E
C68	85.12	1972.00	2°28'52"	42.57	85.11	N87°02'53"E
C69	59.33	1972.00	1°43'25"	29.67	59.32	N89°08'48"E
C70	64.01	528.00	6°56'44"	32.04	63.97	S86°32'08"W
C71	60.11	528.00	6°31'21"	30.09	60.07	S79°48'06"W
C72	48.34	472.00	5°52'03"	24.19	48.31	N79°28'27"E
C73	62.61	472.00	7°36'02"	31.35	62.57	N86°12'29"E
C74	16.44	528.00	1°47'04"	8.22	16.44	N89°06'58"E
C75	79.04	528.00	8°34'39"	39.60	78.97	N83°56'07"E
C76	111.19	2028.00	3°08'29"	55.61	111.18	N84°40'54"E
C77	71.01	2028.00	2°00'22"	35.51	71.01	N82°06'28"E
C78	89.72	1737.94	2°57'28"	44.87	89.71	N9°25'48"W
C79	102.25	1737.94	3°22'15"	51.14	102.23	N6°15'56"W
C80	57.02	1737.94	1°52'47"	28.51	57.01	N3°38'25"W
C81	33.29	12466.17	0°09'11"	16.65	33.29	N2°37'26"W
C82	92.31	12466.17	0°25'27"	46.15	92.31	N2°20'07"W
C83	85.05	12466.17	0°23'27"	42.52	85.05	N1°55'40"W
C84	85.03	12466.17	0°23'27"	42.52	85.03	N1°32'13"W
C85	85.02	12466.17	0°23'27"	42.51	85.02	N1°08'46"W
C86	85.01	12466.17	0°23'27"	42.50	85.01	N0°45'20"W
C87	20.00	12466.17	0°05'31"	10.00	20.00	N0°30'51"W
C88	85.00	12466.17	0°23'26"	42.50	85.00	N0°16'22"W
C89	18.08	12466.17	0°04'59"	9.04	18.08	N0°02'09"W
C90	55.78	12494.17	0°15'21"	27.89	55.78	N0°07'20"W
C91	534.32	12494.17	2°27'01"	267.20	534.28	N1°28'31"W
C92	58.78	797.50	4°13'24"	29.40	58.77	N87°53'49"E
C93	85.74	797.50	6°09'35"	42.91	85.70	N82°42'19"E
C94	39.66	797.50	2°50'59"	19.84	39.66	N78°12'03"E
C95	46.47	2028.00	1°18'46"	23.24	46.47	N89°21'07"E
C96	70.85	120.00	3°39'41"	36.49	69.82	S59°51'46"E
C97	12.77	12522.17	0°03'30"	6.39	12.77	N0°01'25"W
C98	17.61	1793.94	0°33'45"	8.80	17.61	N2°58'54"W
C99	229.39	2000.00	6°34'18"	114.82	229.27	N84°23'26"E
C100	81.41	2000.00	2°19'56"	40.71	81.40	N88°50'32"E
C101	102.87	500.00	1°47'16"	51.62	102.69	S84°06'52"W
C102	14.66	500.00	1°40'49"	7.33	14.66	S77°22'50"W

SHEET 2 OF 2
PLAT "A"

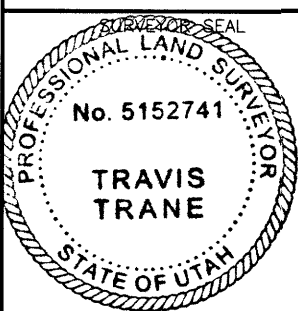
WATER'S EDGE PHASE 3

A RESIDENTIAL SUBDIVISION

RECORDING INFORMATION

ENT 11870:2016 Map # 14954
JEFFERY SMITH
UTAH COUNTY RECORDER
2016 Feb 12 11:42 am FEE 104.00 BY JB
RECORDED FOR TOWN OF VINEYARD

VINEYARD, UTAH COUNTY, UTAH
SCALE: 1" = 60 FEET



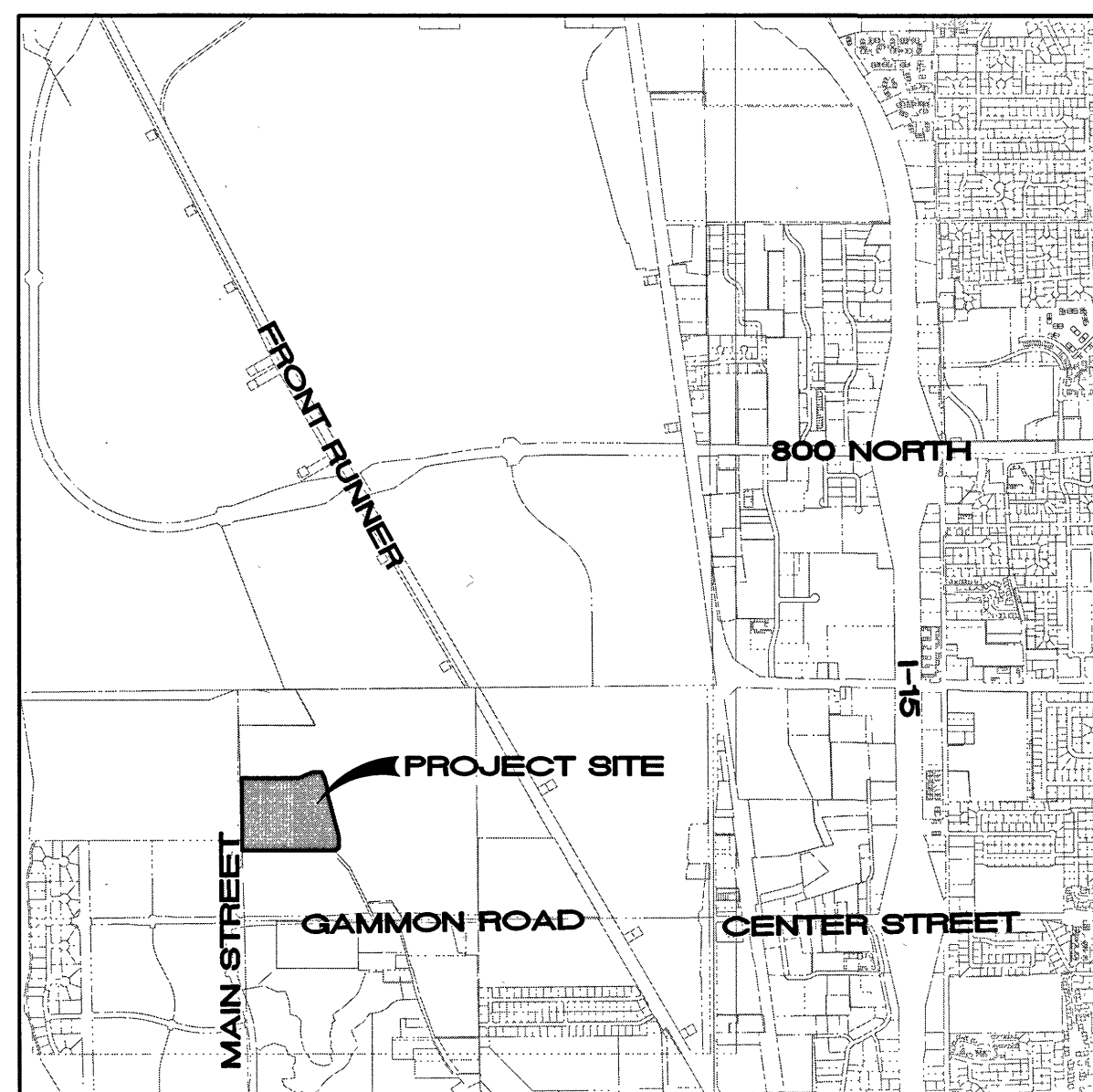
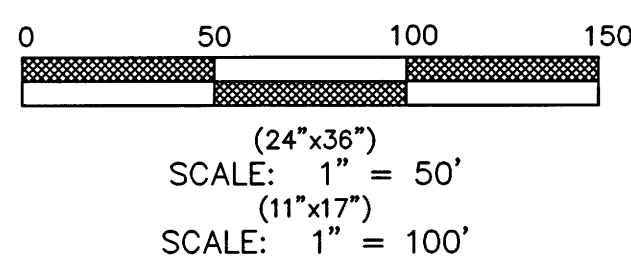
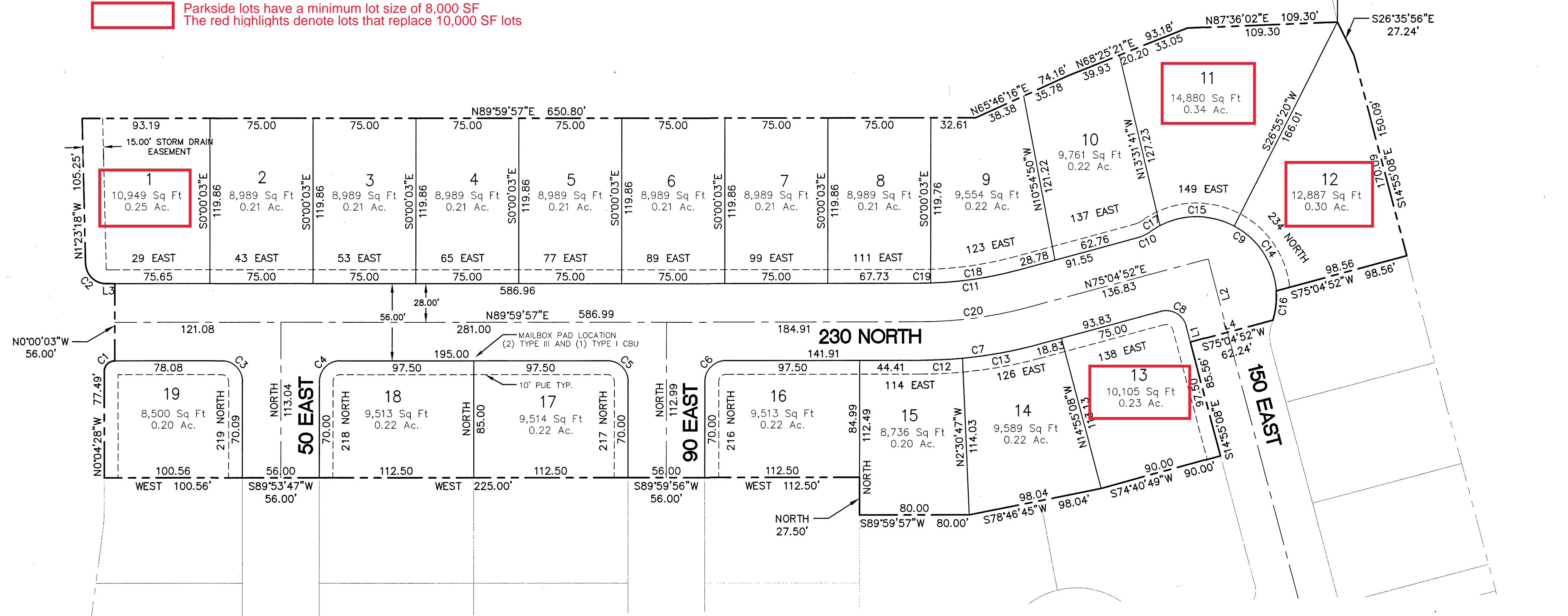
NOTARY PUBLIC SEAL

CITY-COUNTY ENGINEER SEAL

CLERK-RECORDED SEAL

WATER'S EDGE PHASE 2 PLAT "A"
LOCATED IN THE NORTHWEST QUARTER OF
SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

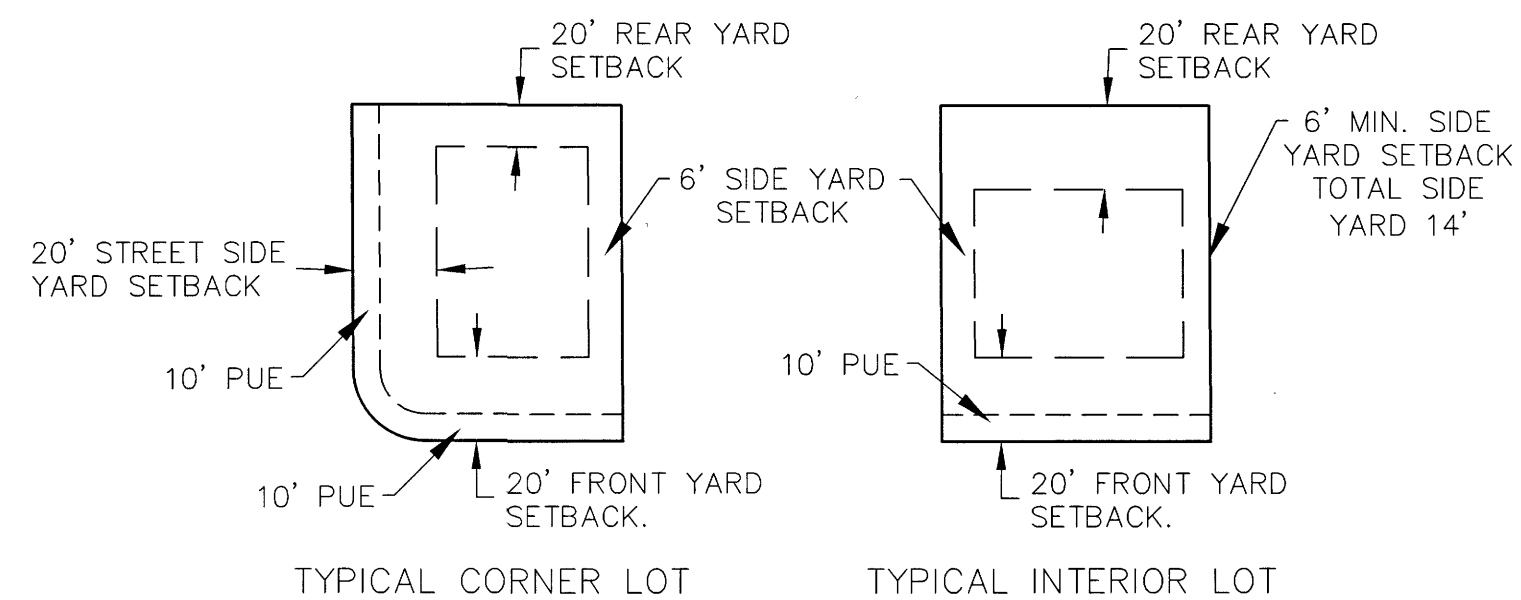
Parkside lots have a minimum lot size of 8,000 SF
The red highlights denote lots that replace 10,000 SF lots



VICINITY MAP
NTS

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	11.96	7.50	91°20'01"	7.68	10.73	N44°55'46"E
C2	23.20	15.00	88°36'45"	14.64	20.95	N45°41'40"W
C3	23.56	15.00	90°00'03"	15.00	21.21	N45°00'01"W
C4	23.56	15.00	89°59'57"	15.00	21.21	S44°59'59"W
C5	23.56	15.00	90°00'03"	15.00	21.21	N45°00'01"W
C6	23.56	15.00	89°59'57"	15.00	21.21	S44°59'59"W
C7	85.40	328.00	14°55'05"	42.94	85.16	N82°32'25"E
C8	23.56	15.00	90°00'00"	15.00	21.21	N59°55'08"W
C9	144.24	58.00	142°29'33"	170.83	109.84	N54°27'52"W
C10	9.80	27.00	20°47'30"	4.95	9.74	N64°41'07"E
C11	70.82	272.00	14°55'05"	35.61	70.62	N82°32'25"E
C12	30.63	328.00	5°21'03"	15.33	30.62	N87°19'25"E
C13	54.77	328.00	9°34'02"	27.45	54.71	N79°51'53"E
C14	79.95	328.00	14°55'05"	35.61	70.62	N82°32'25"E
C15	55.94	58.00	55°15'40"	30.36	53.80	N89°49'35"W
C16	21.55	58.00	21°17'34"	10.90	21.43	S6°08'07"W
C17	8.36	58.00	8°15'13"	4.18	8.35	S58°24'58"W
C18	63.55	272.00	13°23'09"	31.92	63.40	N81°46'26"E
C19	7.27	272.00	1°31'57"	3.64	7.27	N89°13'59"E
C20	78.11	300.00	14°55'05"	39.28	77.89	N82°32'25"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	11.94	S14°55'08"E
L2	54.94	S14°55'08"E
L3	6.38	S89°59'57"W
L4	62.24	S75°04'52"W



ZONE SFD 8
SETBACK AND EASEMENT DETAIL

NOTE: NO MORE THAN 2 HOMES IN A ROW MAY HAVE THE SAME SETBACK AND MUST VARY BY 2' MIN.

NOTES:
1- THIS AREA HAS HISTORICALLY HAD A HIGH WATER TABLE, AND THE TOWN OF VINEYARD WILL HAVE NO LIABILITY FOR ANY DAMAGES DUE TO THE HIGH WATER TABLE. A LAND DRAIN FOR EACH LOT WILL BE REQUIRED AND MAINTAINED BY THE PROPERTY OWNER.
2- PROPERTY OWNERS SHOULD BE AWARE THAT THIS AREA IS LOCATED IN THE VICINITY OF A RAILROAD SYSTEM.
3- ALL ROADS TO BE DEDICATED TO THE TOWN OF VINEYARD, 1.81 ACRES.
4- DEVELOPER SHALL EXCEPT FROM ANY PUBLIC UTILITY EASEMENT SHOWN THEREON, AND RESERVE TO ITSELF AND ITS DESIGNEE, THE RIGHT TO DESIGN, ENGINEER, CONSTRUCT, INSTALL, TEST, OPERATE, MAINTAIN, REPAIR, REPLACE, RELOCATE, REMOVE AND MANAGE COMMUNICATIONS FACILITIES.

DEVELOPER: FLAGSHIP HOMES
170 SOUTH INTERSTATE PLAZA, SUITE 250
LEHI, UT 84043 801-766-4442

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

POST OFFICE APPROVAL APPROVED BY THE USPS REPRESENTATIVE ON THIS DAY OF <u>Jan 13</u> , A.D., 20 <u>16</u> <i>[Signature]</i> USPS REPRESENTATIVE	MAYOR APPROVAL APPROVED BY THE MAYOR ON THIS DAY OF <u>13th</u> , A.D., 20 <u>16</u> <i>[Signature]</i>	PLANNING COMMISSION APPROVAL APPROVED BY THE PLANNING COMMISSION ON THIS DAY OF <u>14th</u> , A.D., 20 <u>16</u> <i>[Signature]</i> CHAIRMAN, PLANNING COMMISSION	TOWN OF VINEYARD ENGINEER APPROVAL APPROVED BY THE TOWN ENGINEER ON THIS DAY OF <u>14th</u> , A.D., 20 <u>16</u> <i>[Signature]</i> TOWN OF VINEYARD ENGINEER	TOWN OF VINEYARD ATTORNEY APPROVED BY TOWN OF VINEYARD ATTORNEY ON THIS DAY OF <u>14th</u> , A.D., 20 <u>16</u> <i>[Signature]</i> TOWN OF VINEYARD ATTORNEY
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SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 5152741, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described herein, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as WATER'S EDGE PHASE 2 PLAT "A" and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning at a point which is North 89°25'01" East 957.44 feet along the section line and South 938.90 feet from the Northwest Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and Meridian thence South 26°35'56" East 27.24 feet; thence South 14°55'08" East 150.09 feet; thence South 75°04'52" West 98.56 feet; thence northeasterly 21.55 feet along the arc of a 58.00 foot radius curve to the right, through a central angle of 21°17'34", the chord of which bears South 06°08'07" West 21.43 feet; thence South 75°04'52" West 62.24 feet; thence South 14°55'08" East 85.56 feet; thence South 74°40'49" West 90.00 feet; thence South 78°46'45" West 98.04 feet; thence South 89°59'57" West 80.00 feet; thence North 27.50 feet; thence North 112.50 feet; thence South 89°59'56" West 56.00 feet; thence West 225.00 feet; thence South 89°53'47" West 56.00 feet; thence West 100.56 feet; thence North 00°04'28" West 77.49 feet; thence northeasterly 11.96 feet along the arc of a 7.50 foot radius curve to the right, through a central angle of 91°20'01", the chord of which bears North 44°55'46" East 10.73 feet; thence North 00°00'03" West 56.00 feet; thence South 89°59'57" West 6.38 feet to a point of curvature; thence northeasterly 23.20 feet along the arc of a 15.00 foot radius curve to the right, through a central angle of 88°36'45", the chord of which bears North 45°41'40" West 20.95 feet; thence North 01°23'18" West 105.25 feet; thence North 89°59'57" East 650.80 feet; thence North 65°46'16" East 74.16 feet; thence North 88°25'21" East 93.18 feet; thence North 87°36'02" East 109.30 feet to the point of beginning.

5.62 acres more or less.

Jan 11 2016
DATE

[Signature]
SURVEYOR
(See Seal Below)

OWNER'S DEDICATION

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as WATER'S EDGE PHASE 2 PLAT "A" and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owners also hereby convey to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 13th DAY OF January, A.D. 20 16

[Signature]
President, Flagship Development Inc.
NATE HUTCHINSON

ENT 4050:2016 Mod # 14919
JEFFERY SMITH
UTAH COUNTY RECORDER
2016 Jan 15 8:44 am FEE \$7.00 BY TG
RECORDED FOR TOWN OF VINEYARD

STATE OF UTAH)
COUNTY OF UTAH) S.S.

ON THE 13th DAY OF January, A.D. 20 16 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY Sumner M. Doyle *[Signature]*
COMMISSION # 658307
MY COMMISSION EXPIRES Aug. 23, 2016
A NOTARY PUBLIC COMMISSIONED IN UTAH

NOTARY PUBLIC SIGNATURE

ACCEPTANCE BY LEGISLATIVE BODY
THE Town Council OF the Town of Vineyard
COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES OR THE PRACTICAL USE OF THE PUBLIC THIS 13th DAY OF January, A.D. 20 16

[Signature]
ATTEST *[Signature]*
CLERK-RECORDER
(See Seal Below)

PLAT "A"

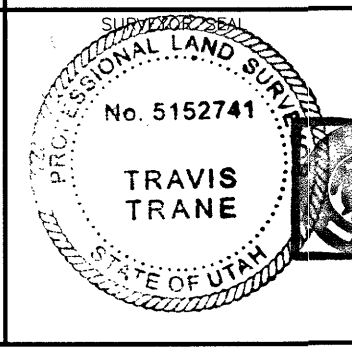
WATER'S EDGE PHASE 2

A RESIDENTIAL SUBDIVISION

RECORDING INFORMATION

VINEYARD, UTAH COUNTY, UTAH

SCALE: 1" = 50 FEET

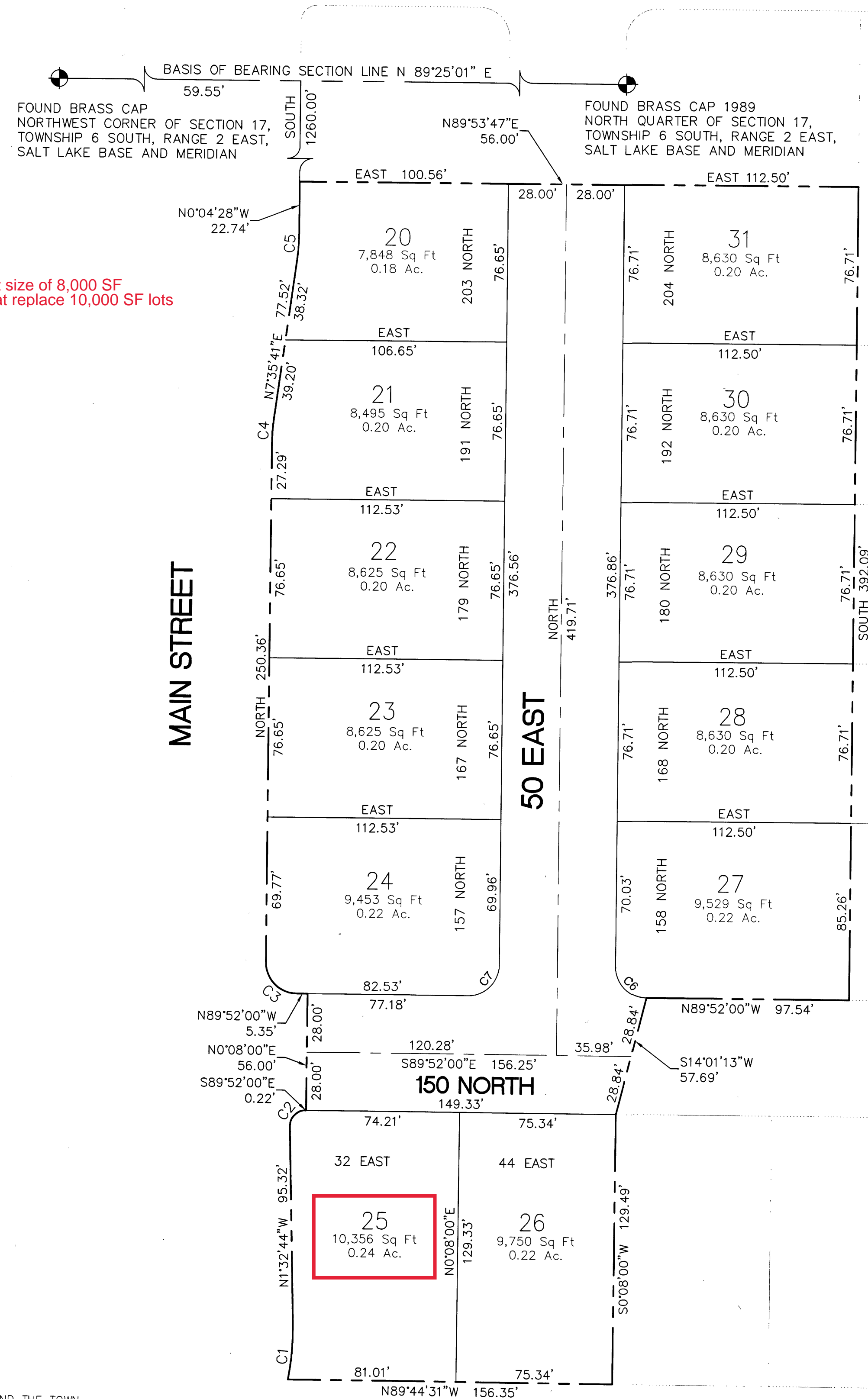


NOTARY PUBLIC SEAL

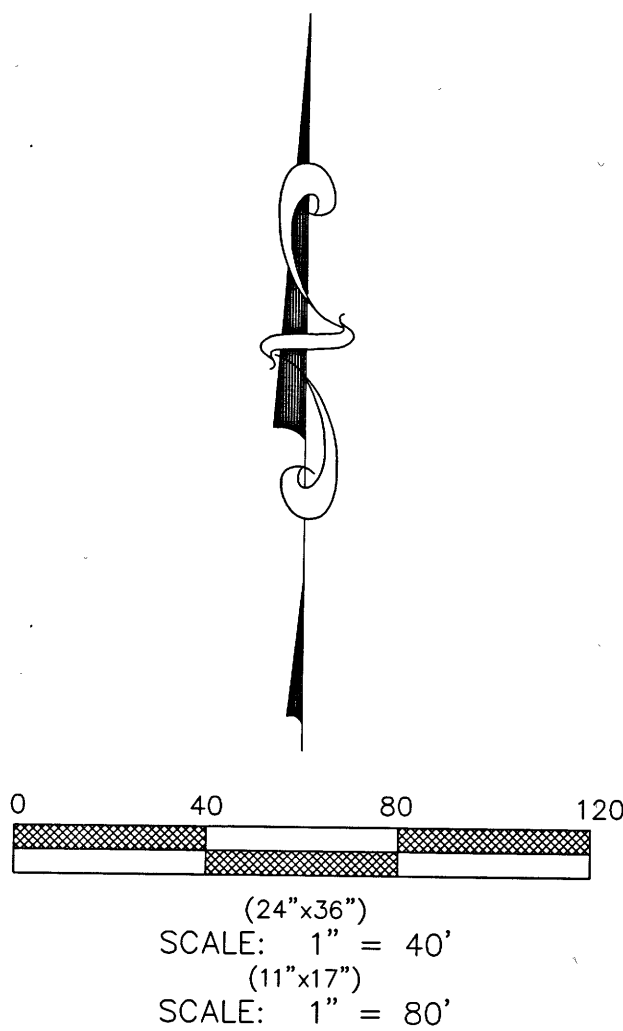
CITY-COUNTY ENGINEER SEAL



PARKSIDE AT WATERS EDGE PLAT "B"
LOCATED IN THE NORTHWEST QUARTER OF
SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

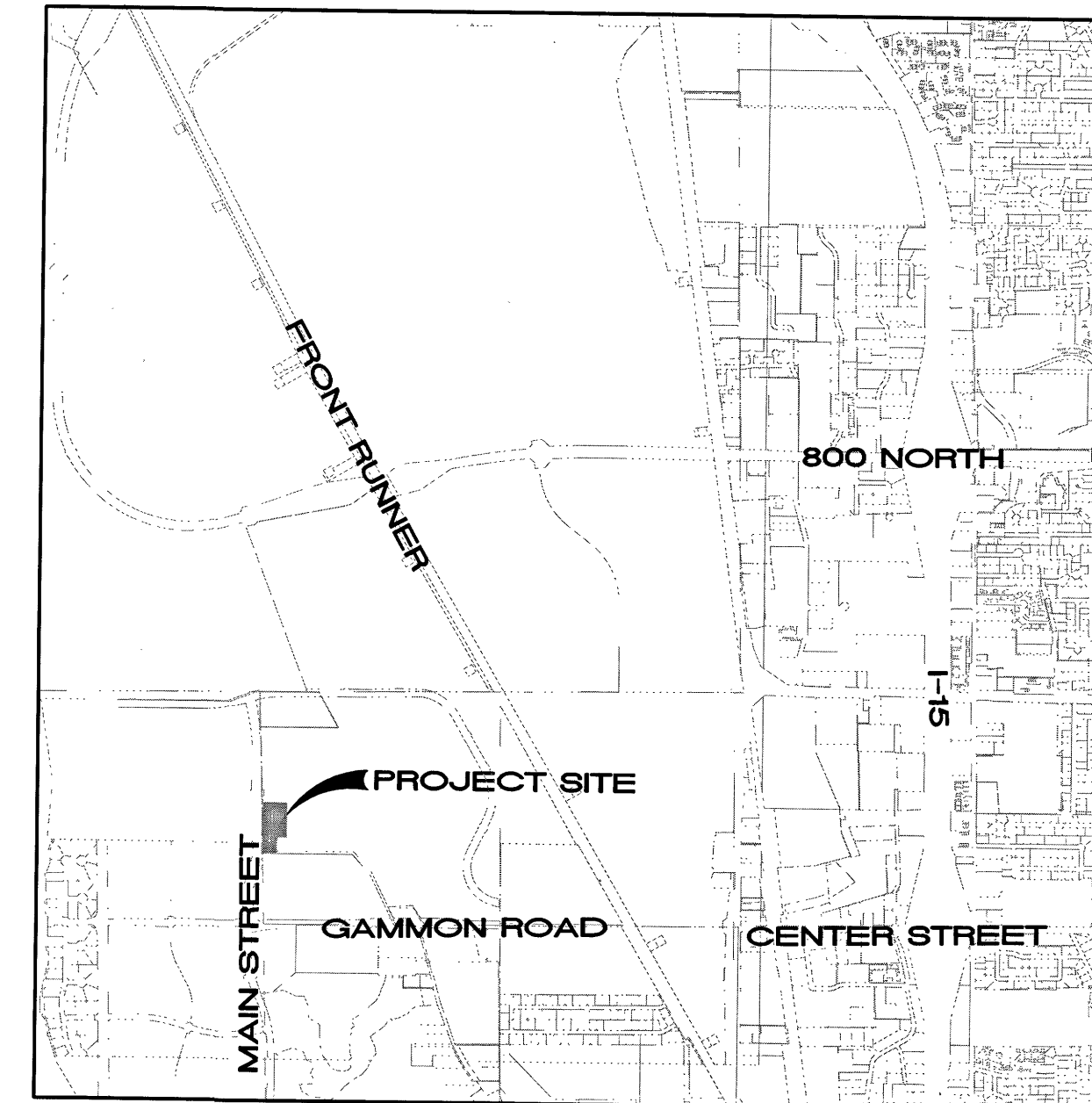


Parkside lots have a minimum lot size of 8,000 SF
The red highlights denote lots that replace 10,000 SF lots



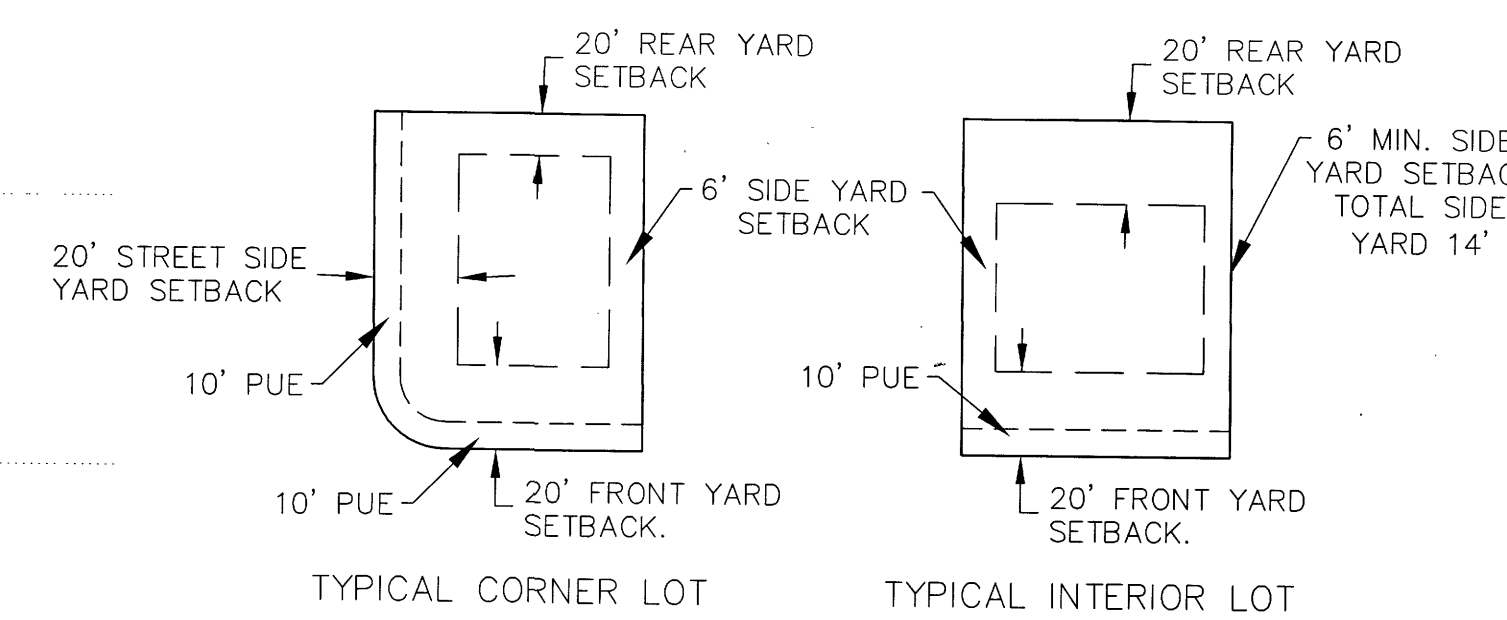
LAND USE	
TOTAL ACREAGE:	3.17 acres
TOTAL LOTS:	12
NO. LOTS / ACRE:	3.79
ZONING:	SFD-8000

NOTES:
1- THIS AREA HAS HISTORICALLY HAD A HIGH WATER TABLE, AND THE TOWN OF VINEYARD WILL HAVE NO LIABILITY FOR ANY DAMAGES DUE TO THE HIGH WATER TABLE. A LAND DRAIN FOR EACH LOT WILL BE REQUIRED AND MAINTAINED BY THE PROPERTY OWNER.
2- PROPERTY OWNERS SHOULD BE AWARE THAT THIS AREA IS LOCATED IN THE VICINITY OF A RAILROAD SYSTEM.
3- ALL ROADS TO BE DEDICATED TO THE TOWN OF VINEYARD, 0.71 ACRES.
4- DEVELOPER SHALL EXCEPT FROM ANY PUBLIC UTILITY EASEMENT SHOWN THEREON, AND RESERVE TO ITSELF AND ITS DESIGNEE, THE RIGHT TO DESIGN, ENGINEER, CONSTRUCT, INSTALL, TEST, OPERATE, MAINTAIN, REPAIR, REPLACE, RELOCATE, REMOVE AND MANAGE COMMUNICATIONS FACILITIES.



VICINITY MAP
NTS

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	26.29	120.50	12°29'59"	13.20	26.24	N4°42'15"E
C2	12.00	7.50	91°40'44"	7.72	10.76	N44°17'38"E
C3	23.53	15.00	89°52'00"	14.97	21.19	N44°56'00"W
C4	10.54	79.50	7°35'41"	5.28	10.53	N3°47'50"E
C5	15.97	120.50	7°35'41"	8.00	15.96	N3°47'50"E
C6	23.53	15.00	89°52'00"	14.97	21.19	S44°56'00"E
C7	23.60	15.00	90°08'00"	15.03	21.24	N45°04'00"E



ZONE SFD 8
SETBACK AND EASEMENT DETAIL

15265

DEVELOPER: FLAGSHIP HOMES
170 SOUTH INTERSTATE PLAZA, SUITE 250
LEHI, UT 84043 801-766-4442

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

MAYOR APPROVAL APPROVED BY THE MAYOR ON THIS DAY OF 2016 <i>[Signature]</i> MAYOR	PLANNING COMMISSION APPROVAL APPROVED BY PLANNING COMMISSION ON THIS DAY OF 2016 <i>[Signature]</i> CHAIRMAN, PLANNING COMMISSION	VINEYARD ENGINEER APPROVAL APPROVED BY VINEYARD ENGINEER ON THIS DAY OF 2016 <i>[Signature]</i> VINEYARD ENGINEER	VINEYARD ATTORNEY APPROVED BY VINEYARD ATTORNEY ON THIS DAY OF 2016 <i>[Signature]</i> VINEYARD ATTORNEY
--	--	--	---

SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 5152741, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as PARKSIDE AT WATERS EDGE PLAT "B", and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning at a point which is North 89°25'01" East 59.55 feet along the section line and South 1260.00 feet from the Northwest Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and Meridian thence East 100.56 feet; thence North 89°53'47" East 56.00 feet; thence East 112.50 feet; thence South 392.09 feet; thence North 89°52'00" West 97.54 feet; thence South 14°01'13" West 57.69 feet; thence South 00°08'00" West 129.49 feet to the North line of THE GARDENS PHASE 4; thence North 89°44'31" West 156.35 feet along said North line; thence Northerly 26.29 feet along the arc of a 120.50 foot radius curve to the left, through a central angle of 12°29'59", the chord of which bears North 04°42'15" East 26.24 feet; thence North 01°32'44" West 95.32 feet; thence Northerly 12.00 feet along the arc of a 7.50 foot radius curve to the right, through a central angle of 91°40'44", the chord of which bears North 44°17'38" East 10.76 feet; thence South 89°52'00" East 0.22 feet; thence North 00°08'00" East 56.00 feet; thence North 89°52'00" West 5.35 feet; thence Northwesterly 23.53 feet along the arc of a 15.00 foot radius curve to the right, through a central angle of 89°52'00", the chord of which bears North 44°56'00" West 21.19 feet; thence North 25.00 feet; thence Northerly 10.54 feet along the arc of a 79.50 foot radius curve to the right, through a central angle of 07°35'41", the chord of which bears North 03°47'50" East 10.53 feet; thence North 07°35'41" East 77.52 feet; thence Northerly 15.97 feet along the arc of a 120.50 foot radius curve to the left, through a central angle of 07°35'41", the chord of which bears North 03°47'50" East 15.96 feet; thence North 00°04'28" West 22.74 feet to the point of beginning.
3.17 acres more or less.

Basis of bearing: The line between the Northwest Corner and the North Quarter Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and meridian which bears North 89°25'01" East.

Sept 20, 2016
DATE

[Signature]
SURVEYOR
(See Seal Below)

OWNER'S DEDICATION

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as PARKSIDE AT WATERS EDGE PLAT "B" and do hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owners also hereby convey to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 21st DAY OF September, 2016

[Signature] Nate Hutchinson
President Flagship Development, Inc.

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF UTAH) S.S.

ON THE 21st DAY OF September, 2016 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY *[Signature]*
COMMISSION # 2016 091117
MY COMMISSION EXPIRES 9-22-18
A NOTARY PUBLIC COMMISSIONED IN UTAH

ENT 105101:2016 Map # 15265
JEFFERY SMITH
UTAH COUNTY RECORDER
2016 Oct 20 10:41 am FEE 42.00 BY SM
RECORDED FOR TOWN OF VINEYARD

PLAT "B"

PARKSIDE AT WATERS EDGE

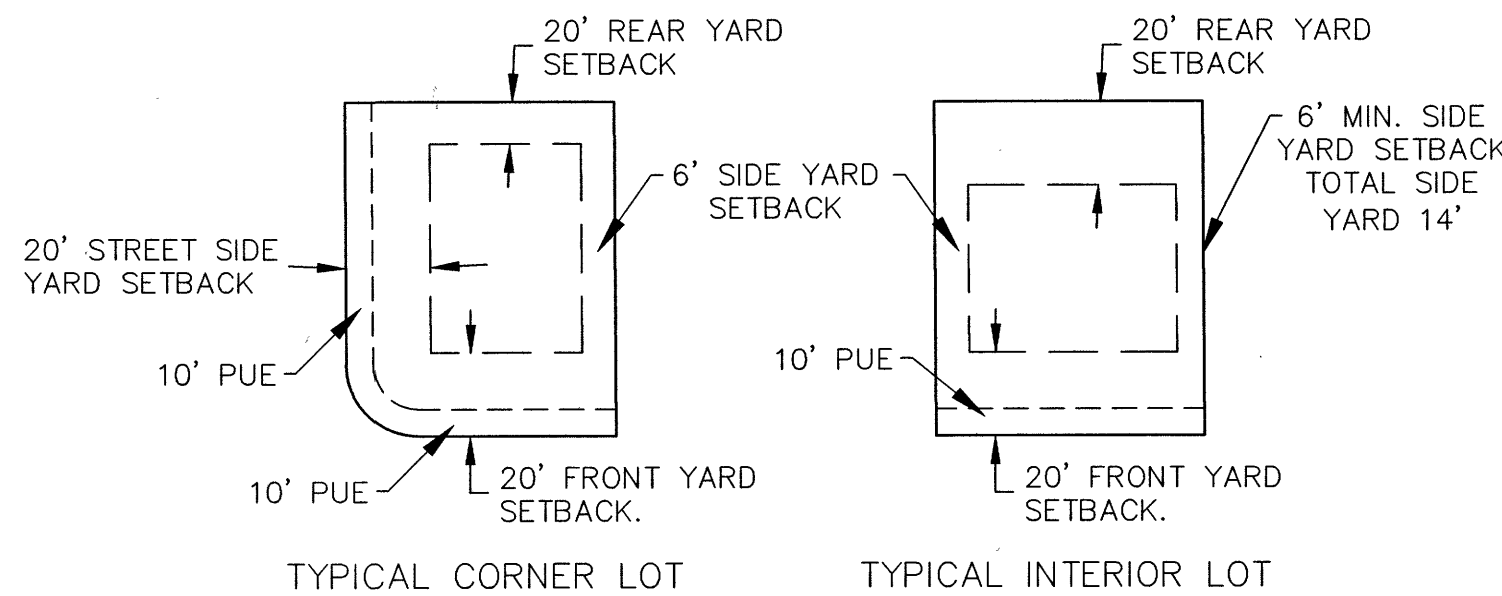
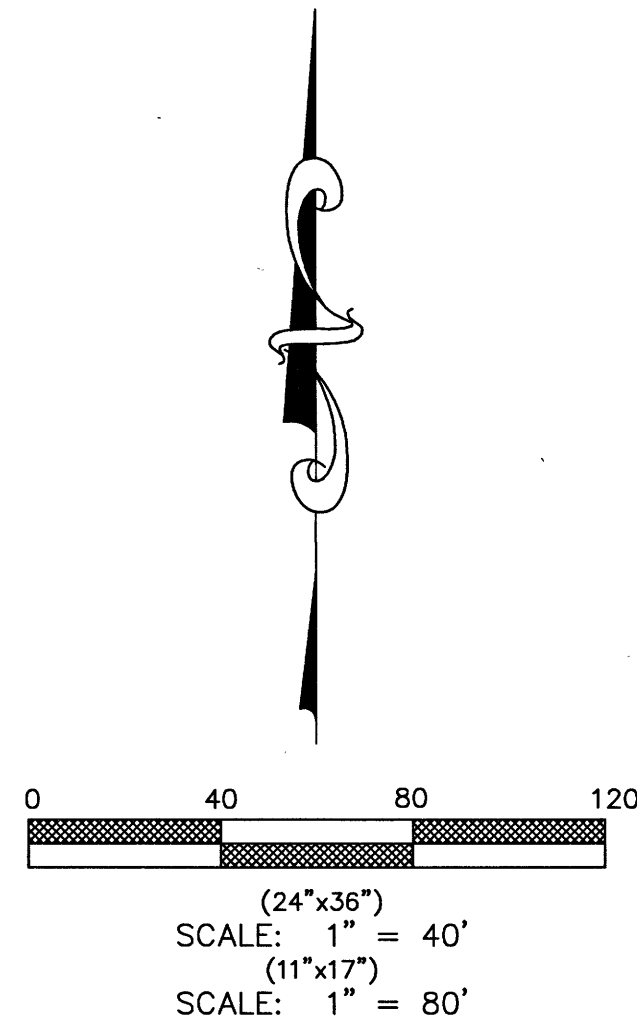
A RESIDENTIAL SUBDIVISION

VINEYARD, UTAH COUNTY, UTAH
SCALE: 1" = 40' FEET

NOTARY PUBLIC SEAL NOTARY PUBLIC TRAVIS TRANE STATE OF UTAH No. 5152741 Expires 10-16-2016	CITY-COUNTY ENGINEER SEAL CITY-COUNTY ENGINEER JAMES L. HARRIS STATE OF UTAH No. 10101 Expires 10-16-2016	VINEYARD SEAL VINEYARD UTAH
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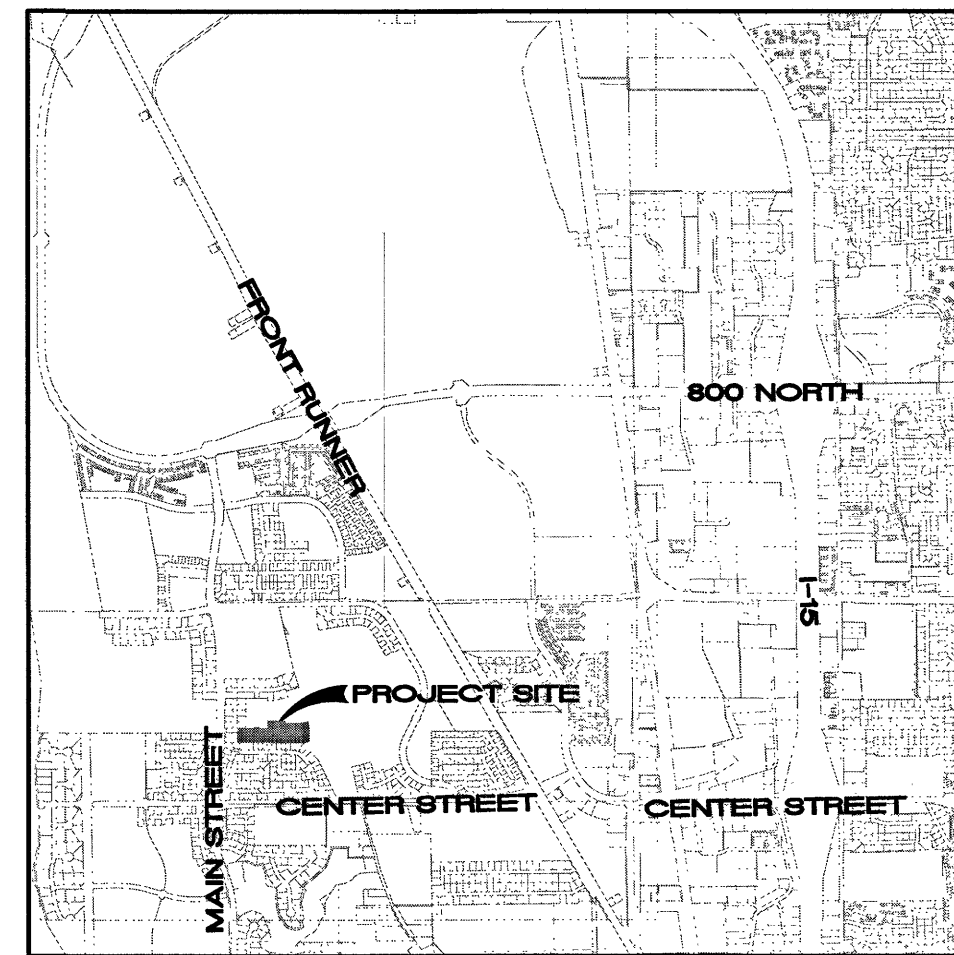
CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	23.60	15.00	90°08'00"	15.03	21.24	N45°04'00"E
C2	23.53	15.00	89°52'00"	14.97	21.19	S44°56'00"E
C3	58.78	228.00	14°46'13"	29.55	58.61	S82°28'54"E
C5	56.85	200.00	16°17'09"	28.62	56.66	N81°43'26"W
C6	56.85	200.00	16°17'08"	28.62	56.66	S81°43'26"E
C7	67.69	43.00	90°11'42"	43.15	60.91	N45°02'09"E
C8	22.00	300.00	4°12'03"	11.00	21.99	N2°09'43"W
C9	6.03	228.00	1°30'56"	3.02	6.03	N74°20'19"W
C10	48.89	172.00	16°17'08"	24.61	48.72	S81°43'26"E
C11	48.89	172.00	16°17'09"	24.61	48.72	N81°43'26"W
C12	64.81	228.00	16°17'08"	32.62	64.59	S81°43'26"E
C13	11.21	27.00	23°47'04"	5.69	11.13	N77°58'27"W
C14	160.32	58.00	158°22'27"	303.68	113.94	N34°43'51"E
C15	11.62	15.00	44°23'41"	6.12	11.33	S22°15'32"E
C16	19.96	328.00	3°29'15"	9.99	19.96	N1°48'19"W
C17	24.06	272.00	5°04'02"	12.04	24.05	N2°35'42"W
C18	23.61	15.00	90°11'42"	15.05	21.25	N45°02'09"E
C19	41.12	172.00	13°41'50"	20.66	41.02	N83°01'05"W
C20	7.77	172.00	2°35'18"	3.89	7.77	N74°52'31"W
C21	12.11	58.00	11°57'44"	6.08	12.09	S72°03'47"E
C22	60.10	58.00	59°22'08"	33.06	57.45	N72°16'16"E
C23	56.86	58.00	56°10'05"	30.95	54.61	N14°30'10"E
C24	31.25	58.00	30°52'30"	16.02	30.88	N29°01'07"W
C25	64.81	228.00	16°17'09"	32.62	64.59	N81°43'26"W

PARKSIDE AT WATERS EDGE PLAT "C"
LOCATED IN THE NORTHWEST QUARTER OF
SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

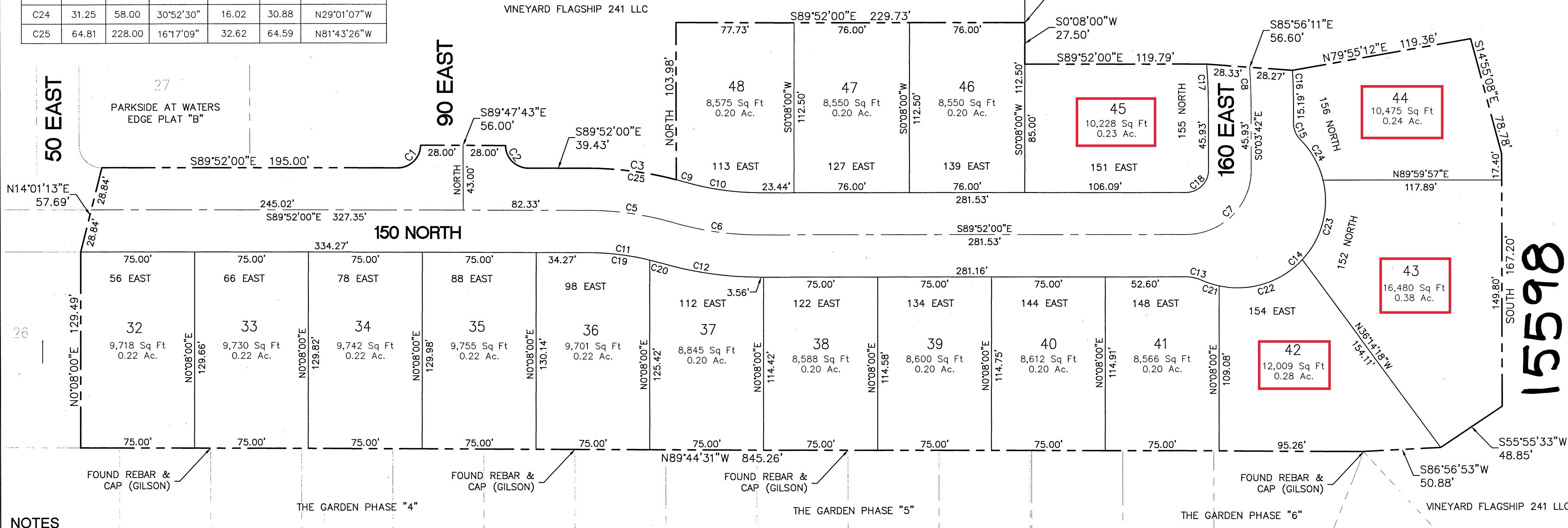


ZONE SFD 8
SETBACK AND EASEMENT DETAIL

Parkside lots have a minimum lot size of 8,000 SF
The red highlights denote lots that replace 10,000 SF lots



VICINITY MAP
NTS



NOTES

- PLAT MUST BE RECORDED WITHIN 12 MONTHS OF FINAL PLAT APPROVAL, OR FOR PHASED DEVELOPMENTS, WITHIN 24 MONTHS OF RECORDED OF MOST RECENT PHASE. THE FIRST FINAL PLAT APPROVAL WAS GRANTED ON THE DAY OF 20.
- THE INSTALLATION OF IMPROVEMENTS SHALL CONFORM TO ALL CITY STANDARDS, REGULATIONS, AND ORDINANCES.
- BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL IMPROVEMENTS HAVE BEEN INSTALLED AND ACCEPTED BY THE CITY IN WRITING OR BONDED FOR.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL ALL IMPACT AND CONNECTION FEES ARE PAID IN FULL PER CITY REGULATIONS IN EFFECT AT THE TIME OF BUILDING PERMIT ISSUANCE.
- DRIVEWAYS AND LOT ACCESS SHALL BE LIMITED TO INTERIOR LOCAL SUBDIVISION STREETS ONLY. DRAINAGE SHALL NOT CROSS PROPERTY LINES. EXCESS OR CONCENTRATED DRAINAGE SHALL BE CONTAINED ON SITE OR DIRECTED TO AN APPROVED DRAINAGE FACILITY.
- VINEYARD ACCEPTS NO RESPONSIBILITY FOR ANY PROPERTY DAMAGE CAUSED BY GROUND WATER FLOODING.
- ALL BUILDING AND DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE VINEYARD ZONING ORDINANCE.
- PROPERTY OWNERS SHOULD BE AWARE THAT THIS AREA IS LOCATED IN THE VICINITY OF A RAILROAD SYSTEM.
- DEVELOPER SHALL EXCEPT FROM ANY PUBLIC UTILITY EASEMENT SHOWN THEREON, AND RESERVE TO ITSELF AND ITS DESIGNEE, THE RIGHT TO DESIGN, ENGINEER, CONSTRUCT, INSTALL, TEST, OPERATE, MAINTAIN, REPAIR, REPLACE, RELOCATE, REMOVE AND MANAGE COMMUNICATIONS FACILITIES.

QUESTAR GAS COMPANY

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENTS AT 800-366-6532.

ROCKY MOUNTAIN POWER

- PURSUANT TO UTAH CODE ANN. 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. 17-27A603(4)(i) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
 - A RECORDED EASEMENT OR RIGHT-OF-WAY
 - THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
 - TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND FACILITIES OR
 - ANY OTHER PROVISION OF LAW

LAND USE	
TOTAL ACREAGE:	5.01 acres
TOTAL LOTS:	17
NO. LOTS / ACRE:	3.39
ZONING:	SFD-8000
ROAD AREA:	1.19 acres

DEVELOPER: FLAGSHIP HOMES
170 SOUTH INTERSTATE PLAZA, SUITE 250
LEHI, UT 84043 801-766-4442

TRAN ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4344

ACCEPTANCE BY LEGISLATIVE BODY

<i>Ci</i> VINEYARD PLANNING COMMISSION CHAIR DATE: 6/28/2017	<i>Dan R</i> VINEYARD ATTORNEY DATE: 6/27/2017
<i>Don C</i> VINEYARD ENGINEER DATE: 6/27/2017	<i>Joe</i> CITY MANAGER DATE: 6/27/2017
<i>De</i> CLERK/RECORDER DATE: 6/27/2017	

SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 5152741, IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS DEDICATION PLAT, I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN ON THIS PLAT, I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

Travis Trane
(SURVEYOR), P.L.S.

June 5, 2017
DATE

BOUNDARY DESCRIPTION

A parcel of land which is situate in the Northwest Quarter of Section 17, Township 6 South, Range 2 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at a point which is North 89°25'01" East 839.37 feet along the section line and South 1564.66 feet from the Northwest Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and Meridian: thence South 00°08'00" West 27.50 feet; thence South 89°52'00" East 119.79 feet; thence South 85°56'11" East 56.60 feet; thence North 79°55'12" East 119.36 feet; thence South 14°55'08" East 78.78 feet; thence South 167°20' East 56.00 feet; thence South 55°55'33" West 48.85 feet; thence South 88°56'53" West 50.88 feet; thence North 89°44'31" West 845.26 feet; thence North 00°08'00" East 129.49 feet; thence North 14°01'13" East 57.69 feet; thence South 89°52'00" East 195.00 feet; thence Northeastly 23.60 feet along the arc of a 15.00 foot radius curve to the left, through a central angle of 90°08'00", the chord of which bears North 45°04'00" East 21.24 feet; thence South 89°47'43" East 56.00 feet; thence Southeastly 23.53 feet along the arc of a 15.00 foot radius curve to the left, through a central angle of 89°52'00", the chord of which bears South 44°56'00" East 21.19 feet; thence South 89°52'00" East 39.43 feet; thence Easterly 58.78 feet along the arc of a 228.00 foot radius curve to the right, through a central angle of 14°46'13", the chord of which bears South 82°28'54" East 58.61 feet; thence North 103°98' East 103.98 feet; thence South 89°52'00" East 229.73 feet to the point of beginning. 5.01 acres more or less.

Basis of bearing: The line between the Northwest Corner and the North Quarter Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and meridian which bears North 89°25'01" East.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, PARCELS AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREFTER KNOWN AS PARKSIDE AT WATERS EDGE PLAT "C", AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES.

IN WITNESS WHEREOF, WE HAVE HERE UNTO SET OUR HANDS THIS 6th DAY OF June, A.D. 20 17.

Nathan Hutchinson
SIGNATURE PRINT NAME TITLE & ENTITY
President, Flagship Development, Inc.

SIGNATURE PRINT NAME TITLE & ENTITY

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }
ON THIS THE 6th DAY OF June, A.D. 20 17,
PERSONALLY APPEARED BEFORE ME,
Nathan Hutchinson

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

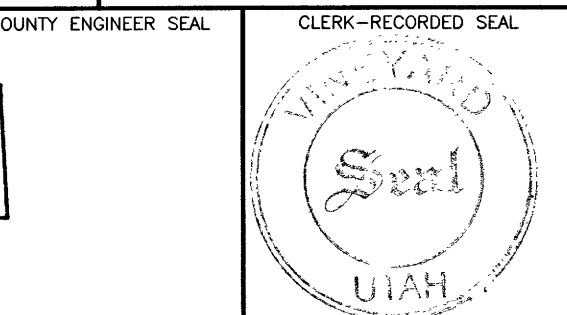
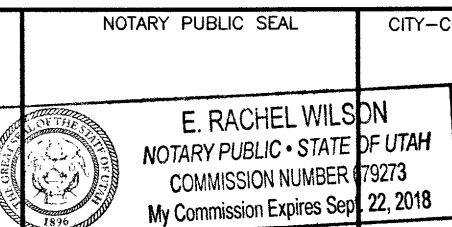
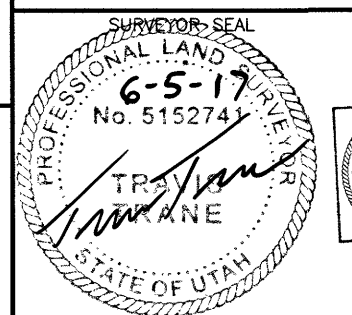
[Signature]
NOTARY PUBLIC
9/22/16
MY COMMISSION EXPIRES:

PLAT "C"

PARKSIDE AT WATERS EDGE

A RESIDENTIAL SUBDIVISION

VINEYARD, UTAH COUNTY, UTAH
SCALE: 1" = 40 FEET



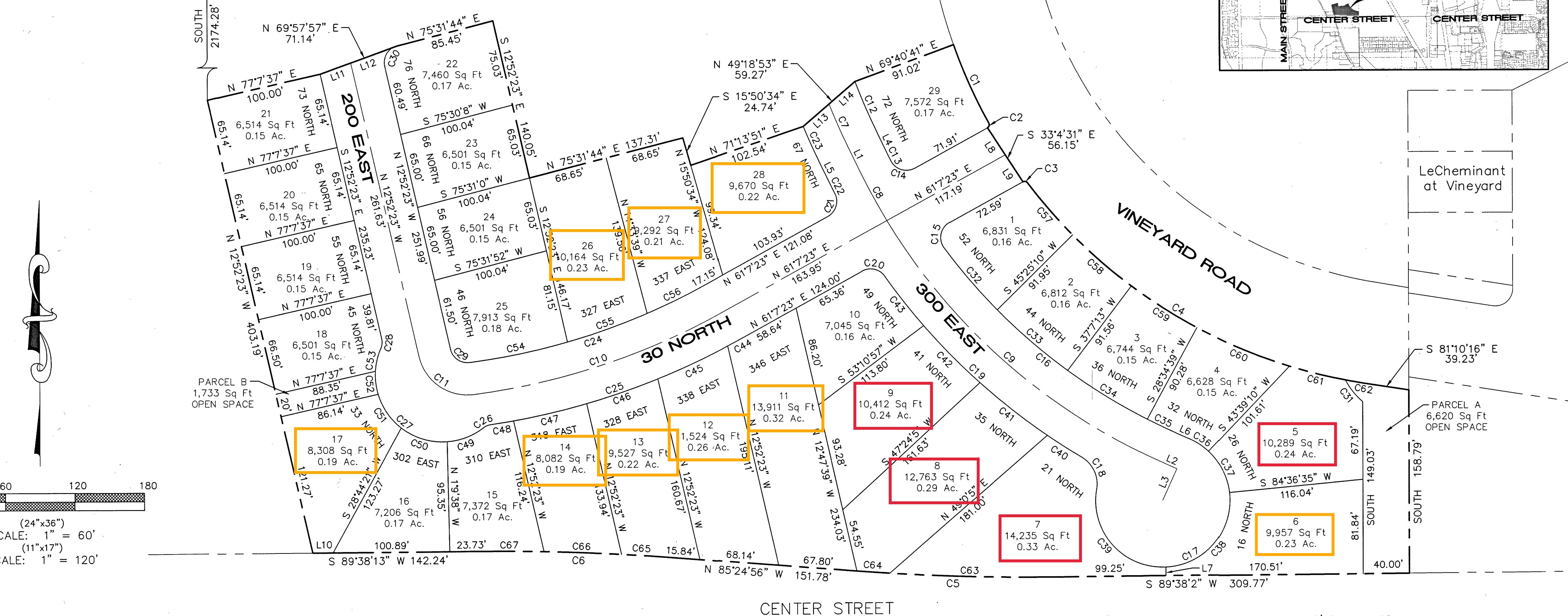
WATER'S EDGE PHASE 1 PLAT "A"
LOCATED IN THE NORTHWEST QUARTER OF
SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

Red denotes lots that replace 10,000 SF lots
Orange denotes lots that replace 8,000 SF lots

FOUND BRASS CAP
NORTHWEST CORNER OF SECTION 17,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

FOUND BRASS CAP 1989
NORTH QUARTER OF SECTION 17,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN

BASIS OF BEARING SECTION LINE N 89°25'01" E



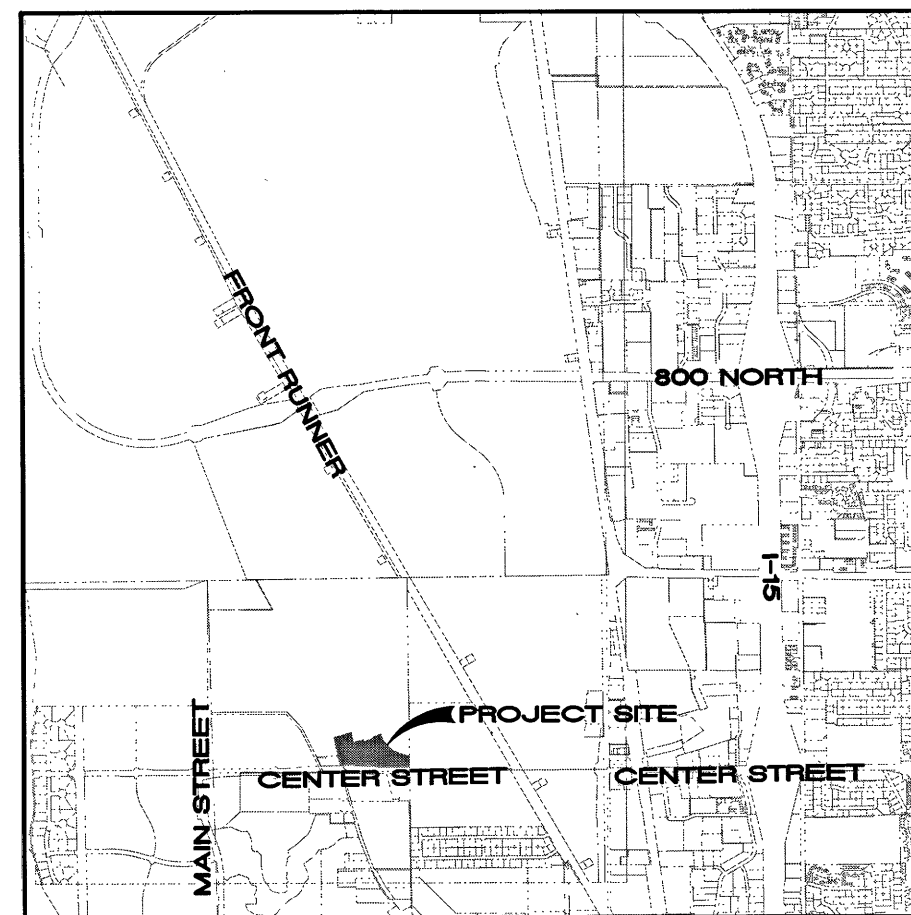
CURVE TABLE					
CURVE	LENGTH	TANGENT	RADIUS	DELTA	CHORD BEARING
C1	74.74	37.46	447.50	9°34'11"	74.66 S 23°55'51" E
C2	4.71	2.99	3.00	89°52'24"	4.24 S 16°11'11" W
C3	4.32	2.63	3.00	82°28'24"	3.96 S 77°38'27" E
C4	347.91	183.28	447.50	44°32'42"	339.22 S 58°53'55" E
C5	168.30	84.20	1949.00	4°56'51"	168.24 N 87°53'21" W
C6	177.10	88.61	2051.00	4°56'51"	177.05 N 87°53'22" W
C7	40.82	20.42	570.00	4°6'12"	40.81 S 23°39'21" E
C8	48.69	24.36	530.00	5°15'48"	48.67 S 28°20'21" E
C9	322.98	166.68	530.00	34°54'57"	318.01 S 48°25'44" E
C10	226.38	114.55	600.00	21°37'5"	225.04 N 71°55'56" E
C11	63.33	38.98	43.00	84°23'9"	67.76 S 55°3'57" E
C12	48.53	24.28	542.00	5°7'50"	48.52 S 23°8'32" E
C13	3.40	1.70	502.00	0°23'16"	3.40 S 25°54'5" E
C14	24.29	15.75	15.00	92°46'54"	21.72 S 72°29'10" E
C15	25.49	17.06	15.00	97°21'27"	22.53 S 12°26'39" W
C16	259.80	132.88	502.00	29°39'8"	256.91 S 51°33'8" E
C17	258.90	132.88	502.00	25°45'12"	91.56 N 61°59'24" E
C18	32.51	18.55	58.00	68°58'52"	30.58 N 24°37'26" W
C19	233.63	118.55	558.00	23°59'21"	231.93 S 47°7'12" E
C20	21.93	13.45	15.00	83°45'5"	20.03 S 77°04'4" W
C21	22.94	14.39	15.00	87°38'10"	20.77 S 17°18'18" E
C22	7.84	3.92	558.00	0°48'20"	7.84 S 26°6'37" E
C23	33.17	16.59	598.00	31°04'1"	33.16 S 24°7'7" E
C24	215.82	109.21	572.00	21°37'5"	214.54 N 71°55'56" E
C25	225.70	114.08	628.00	20°35'32"	224.49 N 71°25'9" E
C26	7.56	3.86	15.00	28°53'2"	7.48 S 67°16'24" W
C27	152.20	219.12	58.00	150°20'52"	112.14 S 51°59'41" E
C28	9.44	4.88	15.00	36°3'8"	9.28 N 59°11'1" E
C29	22.09	13.60	15.00	84°23'9"	20.15 S 55°3'57" E
C30	23.14	14.59	15.00	89°24'7"	20.92 S 31°19'41" W
C31	24.22	12.25	65.12	211°8'27"	70.64 S 38°26'12" E
C32	70.69	35.41	502.00	8°4'8"	70.64 S 40°16'8" E
C33	80.83	40.50	502.00	9°13'31"	80.74 S 48°54'5" E
C34	80.92	40.55	502.00	9°14'7"	80.83 S 58°8'47" E

CURVE TABLE					
CURVE	LENGTH	TANGENT	RADIUS	DELTA	CHORD BEARING
C35	27.36	13.68	502.00	3°7'22"	27.36 S 64°19'31" E
C36	19.20	9.69	58.00	18°57'55"	19.11 N 56°24'15" W
C37	40.74	21.25	58.00	40°14'30"	39.90 N 26°48'3" W
C38	95.32	62.37	58.00	94°9'46"	84.95 N 40°24'5" E
C39	103.64	72.12	58.00	102°23'1"	90.39 S 41°19'31" E
C40	35.57	17.79	558.00	3°39'7"	35.56 S 57°17'19" E
C41	74.07	37.09	558.00	7°36'21"	74.02 S 51°39'35" E
C42	69.55	34.82	558.00	7°8'30"	69.51 S 44°17'9" E
C43	54.44	27.24	558.00	5°35'22"	54.41 S 37°55'13" E
C44	8.96	4.48	628.00	0°49'4"	8.96 N 61°31'55" E
C45	66.52	33.29	628.00	6°4'9"	66.49 N 64°58'31" E
C46	65.40	32.73	628.00	5°58'2"	65.37 N 70°59'36" E
C47	65.03	32.54	628.00	5°55'59"	65.00 N 76°56'36" E
C48	19.79	9.89	628.00	1°48'19"	19.79 N 80°48'45" E
C49	33.60	17.29	58.00	33°11'28"	33.13 N 69°25'37" E
C50	42.43	22.22	58.00	41°55'5"	41.49 S 73°17'7" E
C51	35.94	18.57	58.00	35°30'20"	35.37 S 34°18'24" E
C52	20.22	10.22	58.00	19°58'43"	20.12 S 63°33'52" E
C53	20.00	10.10	58.00	19°45'16"	19.90 S 131°8'7" W
C54	86.57	43.37	572.00	8°40'18"	86.49 N 78°24'19" E
C55	73.29	36.70	572.00	7°20'29"	73.24 N 70°23'56" E
C56	55.96	28.00	572.00	5°36'18"	55.93 S 40°27'48" E
C57	59.94	30.01	447.50	7°40'28"	59.89 S 40°27'48" E
C58	67.53	33.83	447.50	8°38'44"	67.46 S 48°37'24" E
C59	67.34	33.73	447.50	8°37'17"	67.27 S 57°15'25" E
C60	86.71	43.49	447.50	11°5'7"	86.57 S 67°27'7" E
C61	49.95	25.00	447.50	6°23'44"	49.93 S 75°52'2" E
C62	16.45	8.23	447.50	2°22'22"	16.45 S 80°7'5" E
C63	139.87	69.97	1949.00	4°43'3"	139.84 S 88°18'25" E
C64	28.42	14.21	1949.00	0°50'8"	28.42 S 85°50'0" E
C65	52.10	26.05	2051.00	1°27'19"	52.09 N 86°8'36" W
C66	67.32	33.66	2051.00	1°52'50"	67.31 N 87°48'40" W
C67	57.69	28.85	2051.00	1°36'42"	57.69 N 89°33'26" W

LINE TABLE		
LINE	LENGTH	BEARING
L1	23.55	N 25°42'27" W
L2	13.40	N 65°53'12" W
L3	30.00	S 24°6'48" W
L4	23.55	N 25°42'27" W
L5	23.55	N 25°42'27" W
L6	13.40	N 65°53'12" W
L7	7.34	S 0°36'23" E
L8	28.08	N 33°4'31" W
L9	28.07	N 33°4'31" W
L10	17.62	N 89°38'13" E
L11	28.22	N 69°57'57" E
L12	42.92	N 69°57'57" E
L13	29.55	N 49°18'53" E
L14	29.72	N 49°18'53" E

NOTES:
1- THIS AREA HAS HISTORICALLY HAD A HIGH WATER TABLE, AND THE TOWN OF VINEYARD WILL HAVE NO LIABILITY FOR ANY DAMAGES DUE TO THE HIGH WATER TABLE. A LAND DRAIN FOR EACH LOT WILL BE REQUIRED AND MAINTAINED BY THE PROPERTY OWNER.
2- PROPERTY OWNERS SHOULD BE AWARE THAT THIS AREA IS LOCATED IN THE VICINITY OF A RAILROAD SYSTEM.
3- ALL ROADS TO BE DEDICATED TO THE TOWN OF VINEYARD, 1.81 ACRES.
4- DEVELOPER SHALL EXCEPT FROM ANY PUBLIC UTILITY EASEMENT SHOWN THEREON, AND RESERVE TO ITSELF AND ITS DESIGNEE, THE RIGHT TO DESIGN, ENGINEER, CONSTRUCT, INSTALL, TEST, OPERATE, MAINTAIN, REPAIR, REPLACE, RELOCATE, REMOVE AND MANAGE COMMUNICATIONS FACILITIES.

MAYOR APPROVAL APPROVED BY THE MAYOR ON THIS DAY OF Oct, A.D. 2015 [Signature]	PLANNING COMMISSION APPROVAL APPROVED BY THE PLANNING COMMISSION ON THIS DAY OF Oct, A.D. 2015 [Signature]	TOWN OF VINEYARD ENGINEER APPROVAL APPROVED BY THE TOWN ENGINEER ON THIS DAY OF Oct, A.D. 2015 [Signature]	TOWN OF VINEYARD ATTORNEY APPROVED BY TOWN OF VINEYARD ATTORNEY ON THIS DAY OF Oct, A.D. 2015 [Signature]
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SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 5152741, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as WATER'S EDGE PHASE 1 PLAT "A" and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Commencing at a point which is North 89°25'01" East 1705.54 feet along the section line and South 2174.28 feet from the Northwest Corner of Section 17, Township 6 South, Range 2 East, Salt Lake Base and Meridian: Thence North 77°07'37" East 100 feet; thence North 69°57'57" East 71.14 feet; thence North 75°31'44" East 85.45 feet; thence South 12°52'23" East 140.05 feet; thence North 75°31'44" East 137.31 feet; thence South 15°50'34" East 24.74 feet; thence North 71°13'51" East 102.54 feet; thence North 49°18'53" East 59.27 feet; thence North 69°40'41" East 91.02 feet; thence Southeasterly 74.74 feet along the arc of a 447.50 foot radius curve to the left, through a central angle of 09°34'11" the cord of which bears South 23°55'51" East 74.66 feet; thence Southerly 4.71 feet along the arc of a 3.00 foot radius curve to the right, through a central angle of 89°52'24" the cord of which bears South 16°11'11" West 4.24 feet; thence South 33°04'31" East 56.15 feet; thence Southeasterly 4.32 feet along the arc of a 3.00 foot radius curve to the right, through a central angle of 82°28'24" the cord of which bears South 77°38'27" East 3.96 feet; thence Southeasterly 347.91 feet along the arc of a 447.50 foot radius curve to the left, through a central angle of 44°32'42" the cord of which bears South 58°53'55" East 339.22 feet; thence South 81°01'6" East 39.23 feet; thence South 158.79 feet; thence South 89°38'02" West 309.77 feet; thence Westerly 168.30 feet along the arc of a 1949.00 foot radius curve to the right, through a central angle of 04°56'51" the cord of which bears North 87°53'21" West 168.24 feet; thence North 85°24'56" West 151.78 feet; thence Westerly 177.10 feet along the arc of a 2051.00 foot radius curve to the left, through a central angle of 04°56'51", the chord of which bears North 87°53'22" West 177.05 feet; thence South 89°38'13" West 142.24 feet; thence North 12°52'23" West 403.19 feet to the point of beginning.

Parcel contains: 7.72 acres more or less.

Oct 15, 2015
DATE

Travis Trane
SURVEYOR
(See Seal Below)

OWNER'S DEDICATION

Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as WATER'S EDGE PHASE 1 PLAT "A" and hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owners also hereby convey to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 20th DAY OF October, A.D. 2015

President, Flagship Development, Inc.
NATHAN TERRY HUTCHINSON

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF UTAH) S.S.

ON THE 20th DAY OF October, A.D. 2015, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

NOTARY [Signature]
COMMISSION # 679773
MY COMMISSION EXPIRES 1-22-18
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACCEPTANCE BY LEGISLATIVE BODY

THE Town Council OF THE Town of Vineyard, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 23rd DAY OF October, A.D. 2015

Attest [Signature]
CLERK-RECORDER
(See Seal Below)

PLAT "A"

WATER'S EDGE PHASE 1

A RESIDENTIAL SUBDIVISION

RECORDING INFORMATION
ENT 101058-2015 Map # 14826
JEFFERY SMITH
UTAH COUNTY RECORDER
2015 Nov 06 12:26 pm FEE \$1.00 BY SM
RECORDED FOR TOWN OF VINEYARD

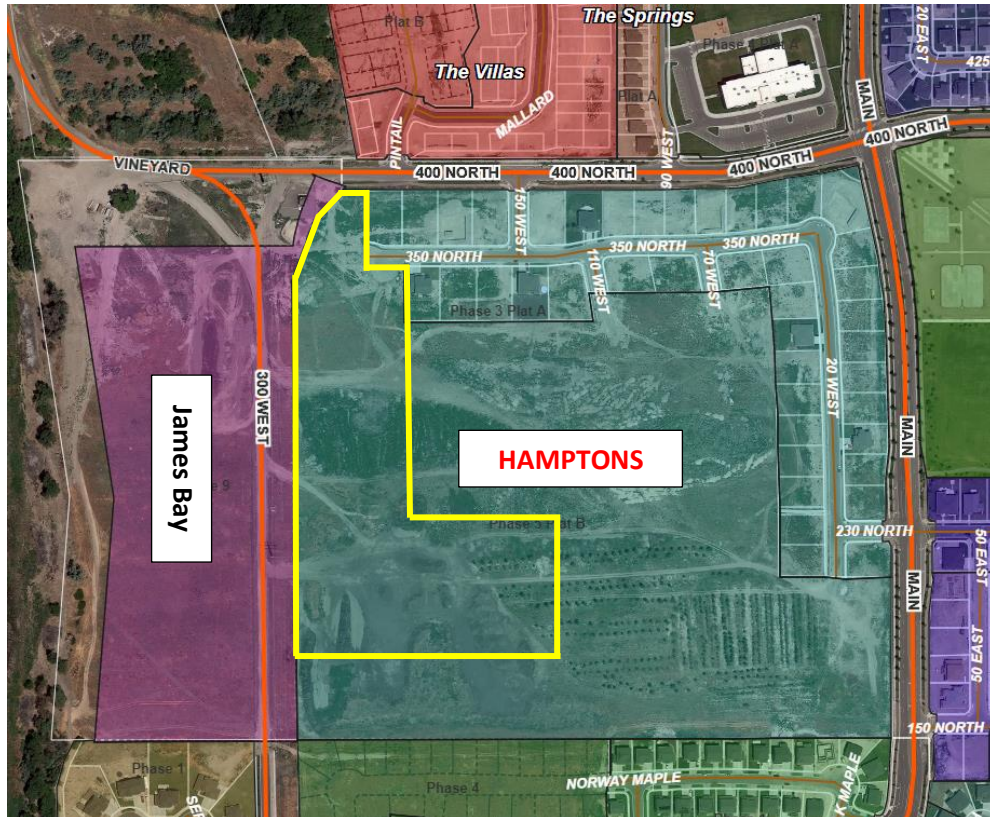
VINEYARD, UTAH COUNTY, UTAH

SCALE: 1"= 60 FEET

NOTARY PUBLIC SEAL [Signature]	CITY-COUNTY ENGINEER SEAL [Signature]	CLERK-RECORDER SEAL [Signature]
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Community Development

Date: March 28, 2018
From: Elizabeth Hart, Planner
To: City Council
Item: Hamptons of Waters Edge B Final Plat
Address: ~300 West 230 North
Applicant: Flagship Development Inc.



INTRODUCTION:

The applicant is requesting final plat approval for Plat B of the Hamptons at Waters Edge. The subject property includes a total of 15 Single Family lots and one (1) church parcel, for a total of 16 buildable lots.

Staff has reviewed the final plat application and has found it to be in compliance with the preliminary plat and the Waters Edge Zoning ordinance.

ANALYSIS:

The proposed lots are zoned SFD-15,000 within the Waters Edge Zoning ordinance. Lot sizes range between 15,088 and 20,028 SF, and the church lot is 167,074 SF or 3.84 acres.

Below is a summary of the zoning requirements:

REQUIREMENT	STANDARD	COMPLIANCE
Minimum Lot Area	15,000 SF	Lot Size Range Between: 15,000-20,000 SF Church Parcel: 167,074 SF/3.84 ac.
Minimum Width at the Front Setback	90'	Yes
Minimum Width at the Front Setback (Corner Lots)	100'	Yes
Minimum Width at the Front Setback (Cul-de-sac Lots)	80'	Yes
Minimum Front Yard Depth	20'	Yes
Minimum Rear Yard Depth	20'	Yes
Minimum Side Yard Depth for Interior Lots	8', 18' total side yard	Yes
Minimum Side Yard Depth for Corner Lots	20'	Yes
Minimum Depth of Any Lot	100'	Yes

TRAILS AND OPEN SPACE:

A five-foot (5') trail easement has been included along the north side of the church parcel and lot 55. This trail is a part of the Waters Edge Master Trail plan.

FENCING:

Within the Waters Edge Master Fencing plan, it shows a six (6') foot Precast Concrete (Petrified) Wall along the west side of lots 48 to 57 and a six (6') foot Clearview Fence along lot 55 next to the trail easement.

FINDINGS:

With the proposed conditions, the proposed plat meets the following findings:

- It is in conformance with the Waters Edge zoning ordinance.

RECOMMENDATION:

Staff is recommending approval of the Hamptons Plat B at Waters Edge Final Plat.

PROPOSED MOTION:

I move to approve the Hamptons of Waters Edge Plat B Final Plat with the proposed conditions:

1. The applicant pays any outstanding fees and makes any redline corrections
2. The forthcoming final plat be in conformance with this preliminary plat
3. The applicant is subject to all local, state, and federal laws

Attachments:

Final Plat Application
Final Plat

complete by
1/12/18

Hampton B

19 40 + 6.20 per lot

THE TOWN OF

Vineyard

240 East Gammon Road
Vineyard, Utah 84058
(801) 226-1929

FINAL SUBDIVISION APPLICATION

Please Note: Attachment of request specific documents is required prior to processing your application.

APPLICATION DATE: 10/30/17

APPLICANT(S): Flagship Development Inc.

ADDRESS OF APPLICANT: 1250 E. 200 S. Ste. 10 Lehi UT 84043

BUSINESS PHONE #: 801-766-4442

CELL PHONE #: 435-218-5656

EMAIL ADDRESS: bronson@forsail.com

FAX NUMBER: 801-466-3337

CURRENT ZONING DISTRICT DESIGNATION: Waters Edge Zone

NUMBER OF PROPOSED NEW LOTS: 15 Single Family Lots + 1 Church Lot

LOCATION/ADDRESS OF PROPOSED FINAL SUBDIVISION: ~ 300 W. 230 N.

TOTAL ACREAGE OF PROPOSED FINAL SUBDIVISION: _____

NAME OF PROPERTY OWNER(S): same as applicant

CHECK APPLICABLE PERMIT ATTACHMENT:

<input type="checkbox"/>	CONDITIONAL USE PERMIT	<input checked="" type="checkbox"/>	FINAL PLAT
<input type="checkbox"/>	GENERAL MAP/PLAT AMENDMENT	<input type="checkbox"/>	LAND DISTURBANCE PERMIT
<input type="checkbox"/>	MINOR PLAT AMENDMENT	<input type="checkbox"/>	PERMITTED USE SITE PLAN
<input type="checkbox"/>	PRELIMINARY SUBDIVISION	<input type="checkbox"/>	ROAD CUT PERMIT
<input type="checkbox"/>	TEMPORARY USE PERMIT	<input type="checkbox"/>	VARIANCE APPLICATION

SIGNATURE OF APPLICANT(S):

Rebecca Sjipol

Applicant Signature

10/30/17

Date

Co-Applicant Signature

Date

\$ 2,095.40

OFFICE USE ONLY			
DATE RECEIVED		DATE OF APPROVALS	
Initial Submittal	Complete Submittal	Planning Commission	Town Council
Type of Request	Staff Comments:		
PAYMENT INFORMATION			
Amount Due	Date Paid	Amount Paid	Check #

Only fully completed submittals may be accepted in office. If the submittal is incomplete in any way, it must be returned to the applicant.

PROPERTY OWNER AFFIDAVIT

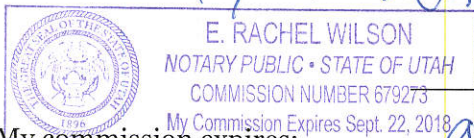
STATE OF UTAH }
 }ss
COUNTY OF UTAH}

I, the undersigned, _____, as owner(s) of the property identified in the attached application, depose that the statements herein contained in this application and the information provided in the attached plans and exhibits are in all respects true and correct to the best of my knowledge.

(Property Owner)

(Property Owner)

Subscribed and sworn before me, E. Rachel Wilson, a Notary Public, on this 13th day of DECEMBER, 2017.



(Notary Public)

My commission expires: 9-22-18

AGENT AUTHORIZATION AFFIDAVIT

I, the undersigned, _____, as owner(s) of the real property described in the attached application, do authorize the following: _____, as agent(s) and designated representative(s) regarding the attached application, to appear on my behalf before any administrative or legislative body in the Town of Vineyard considering this application, and to act in all respects as agent(s) in matters pertaining to the attached application.

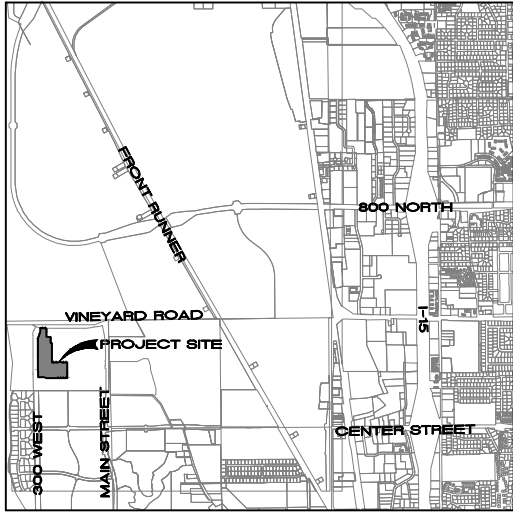
(Property Owner)

(Property Owner)

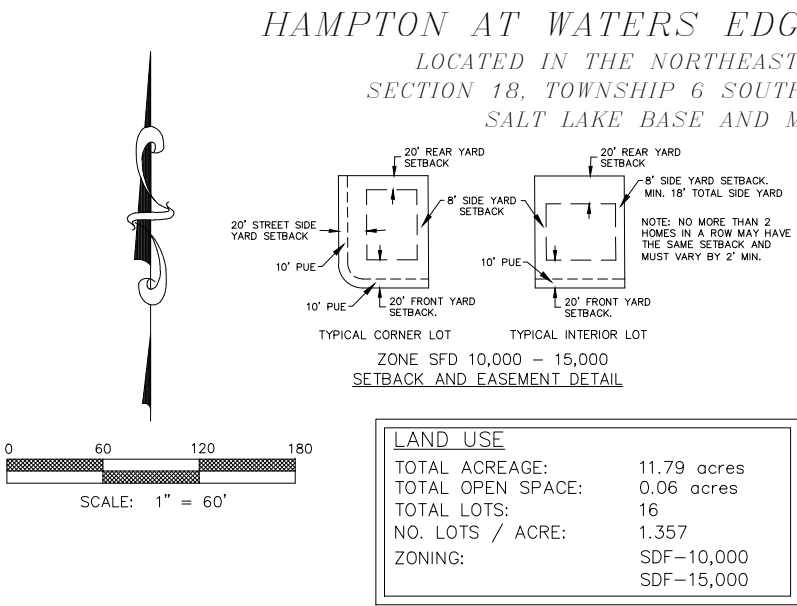
Dated this _____ day of _____, 20_____, personally appeared before me, _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary Public)

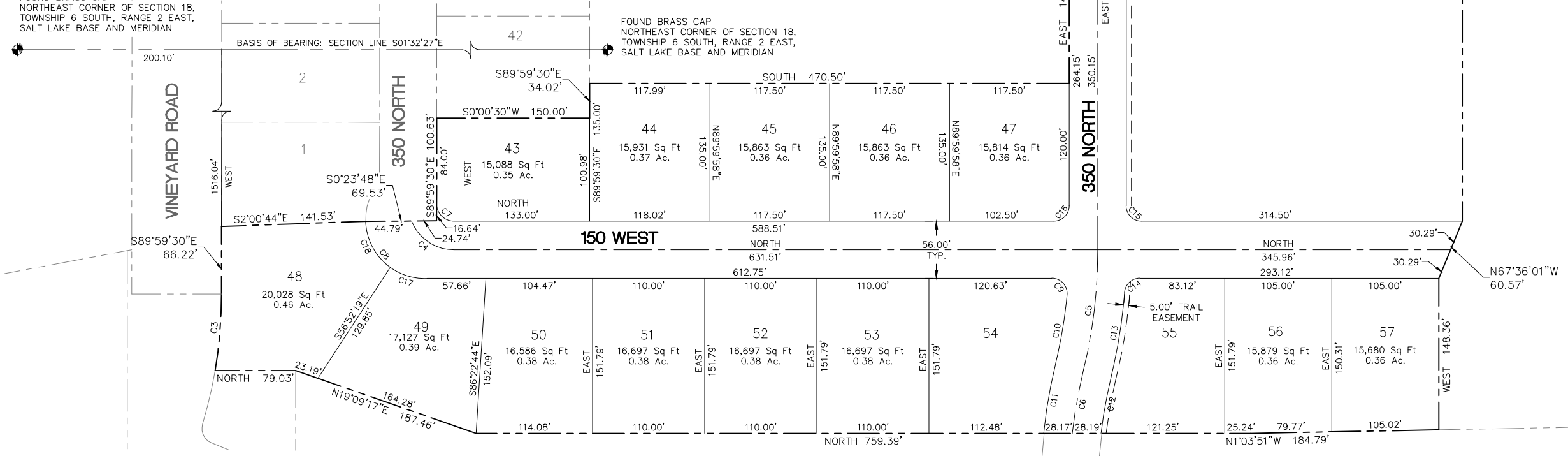
My commission expires: _____



VICINITY MAP
NTS



LAND USE	
TOTAL ACREAGE:	11.79 acres
TOTAL OPEN SPACE:	0.06 acres
TOTAL LOTS:	16
NO. LOTS / ACRE:	1,357
ZONING:	SDF-10,000 SDF-15,000



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
C1	23.56	15.00	90°00'00"	15.00	21.21	N45°00'00"E
C2	23.56	15.00	90°00'00"	15.00	21.21	S45°00'00"E
C3	75.33	447.50	9°38'39"	37.75	75.24	S85°10'10"E
C4	53.46	45.00	68°04'23"	30.39	50.37	S34°02'12"W
C5	118.87	500.00	13°37'17"	59.72	118.59	S83°11'21"E
C6	63.04	500.00	7°13'24"	31.56	62.99	N79°59'25"W
C7	26.71	17.00	90°00'30"	17.00	24.04	S45°00'15"W
C8	91.34	58.00	90°14'08"	58.24	82.19	S42°50'18"W
C9	24.98	15.00	95°23'56"	16.48	22.19	N47°41'59"E
C10	67.74	472.00	8°13'20"	33.93	67.68	S80°29'23"E
C11	69.70	528.00	7°33'50"	34.90	69.65	N80°09'38"W
C12	56.37	472.00	6°50'32"	28.22	56.33	N79°47'59"W
C13	83.67	528.00	9°04'46"	41.92	83.58	S80°55'06"E
C14	22.37	15.00	85°27'29"	13.86	20.36	N42°43'44"W
C15	23.56	15.00	90°00'00"	15.00	21.21	S45°00'00"W
C16	23.56	15.00	90°00'00"	15.00	21.21	S45°00'00"E
C17	38.46	58.00	37°59'30"	19.97	37.76	S16°42'59"W
C18	52.89	58.00	52°14'38"	28.44	51.07	S61°50'03"W

NOTES

- PLAT MUST BE RECORDED WITHIN 12 MONTHS OF FINAL PLAT APPROVAL, OR FOR PHASED DEVELOPMENTS, WITHIN 24 MONTHS OF RECORDATION OF MOST RECENT PHASE. THE FIRST FINAL PLAT APPROVAL WAS GRANTED ON THE DAY OF , 20 .
- THE INSTALLATION OF IMPROVEMENTS SHALL CONFORM TO ALL CITY STANDARDS, REGULATIONS, AND ORDINANCES.
- BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL IMPROVEMENTS HAVE BEEN INSTALLED AND ACCEPTED BY THE CITY IN WRITING OR BONDED FOR.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL ALL IMPACT AND CONNECTION FEES ARE PAID IN FULL PER CITY REGULATIONS IN EFFECT AT THE TIME OF BUILDING PERMIT ISSUANCE.
- DRIVEWAYS AND LOT ACCESS SHALL BE LIMITED TO INTERIOR LOCAL SUBDIVISION STREETS ONLY.
- DRAINAGE SHALL NOT CROSS PROPERTY LINES. EXCESS OR CONCENTRATED DRAINAGE SHALL BE CONTAINED ON SITE OR DIRECTED TO AN APPROVED DRAINAGE FACILITY.
- VINEYARD ACCEPTS NO RESPONSIBILITY FOR ANY PROPERTY DAMAGE CAUSED BY GROUND WATER FLOODING.
- ALL BUILDING AND DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE VINEYARD ZONING ORDINANCE.
- PROPERTY OWNERS SHOULD BE AWARE THAT THIS AREA IS LOCATED IN THE VICINITY OF A RAILROAD SYSTEM.
- ALL ROADWAYS DEDICATED TO VINEYARD CITY.
- 5' SIDE YARD SETBACK MUST REMAIN CLEAR FOR ACCESS.

QUESTAR GAS COMPANY

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S RIGHT-OF-WAY DEPARTMENTS AT 800-366-6532.

ROCKY MOUNTAIN POWER

- PURSUANT TO UTAH CODE ANN. 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. 17-27A603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
a. A RECORDED EASEMENT OR RIGHT-OF-WAY
b. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
c. TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND FACILITIES OR
d. ANY OTHER PROVISION OF LAW

DEVELOPER: FLAGSHIP HOMES
170 SOUTH INTERSTATE PLAZA, SUITE 250
LEHI, UT 84043 801-766-4442

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

ACCEPTANCE BY LEGISLATIVE BODY

VINEYARD PLANNING COMMISSION CHAIR DATE: __/__/__	VINEYARD ATTORNEY DATE: __/__/__
VINEYARD ENGINEER DATE: __/__/__	CITY MANAGER DATE: __/__/__
CLERK/RECORDER DATE: __/__/__	

SURVEYOR'S CERTIFICATE

I, TRAVIS TRANE, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 5152741, IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS DEDICATION PLAT, I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS AND THAT MONUMENTS HAVE BEEN PLACED AS SHOWN ON THIS PLAT, I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

(SURVEYOR), P.L.S.

DATE

BOUNDARY DESCRIPTION

A parcel of land which is situate in the Northeast Quarter of Section 18, Township 6 South, Range 2 East, Salt Lake Base and Meridian, which parcel is described as follows:

Beginning at a point which is South 01°32'27" East 200.10 feet along the section line and West 1516.04 feet from the Northeast Corner of Section 18, Township 6 South, Range 2 East, Salt Lake Base and Meridian: thence South 02°00'44" East 141.53 feet; thence South 00°23'48" East 69.53 feet; thence South 89°59'30" East 100.63 feet; thence South 00°00'30" West 150.00 feet; thence South 89°59'30" East 34.02 feet; thence South 470.50 feet; thence East 144.15 feet; thence Northeasterly 23.56 feet along the arc of a 15.00 foot radius curve to the left, through a central angel of 90°00'00", the cord of which bears North 45°00'00" East 21.21 feet; thence East 56.00 feet; thence Southeasterly 23.56 feet along the arc of a 15.00 foot radius curve to the left, through a central angle of 90°00'00", the cord of which bears South 45°00'00" East 21.21 feet; thence East 142.05 feet; thence South 385.50 feet; thence West 507.20 feet; thence North 67°36'01" West 60.57 feet; thence West 148.36 feet; thence North 01°03'51" West 184.79 feet; thence North 759.39 feet; thence North 19°09'17" East 187.46 feet; thence North 79.03 feet; thence Easterly 75.33 feet along the arc of a 447.50 foot radius curve to the left, through a central angle of 09°38'39", the cord of which bears South 85°10'10" East 75.24 feet; thence South 89°59'30" East 66.22 feet to the point of beginning.

11.79 acres more or less.

Basis of bearing: The line between the Northeast Corner and the East Quarter Corner of Section 18, Township 6 South, Range 2 East, Salt Lake Base and meridian which bears South 01°32'27" East.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, PARCELS AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS HAMPTON AT WATERS EDGE PLAT "B", AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES.

IN WITNESS WHEREOF, WE HAVE HERE UNTO SET OUR HANDS THIS ____ DAY OF ____ A.D. 20 ____ .

SIGNATURE	PRINT NAME	TITLE & ENTITY
SIGNATURE	PRINT NAME	TITLE & ENTITY

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }
ON THIS THE ____ DAY OF _____, A.D. 20 ____ ,
PERSONALLY APPEARED BEFORE ME,

WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

PLAT " B "

**HAMPTON AT
WATERS EDGE**

A RESIDENTIAL SUBDIVISION

RECORDING INFORMATION

VINEYARD, UTAH COUNTY, UTAH
SCALE: 1"= 60 FEET

SURVEYOR SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDED SEAL
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VINEYARD TOWN COUNCIL STAFF REPORT

Date: 3/22/2018
Agenda Item: 9.2 Draft Title 2.26 Administrative Code Enforcement Program
From: George Reid
Department: Building
Subject: Creation of the Administrative Code Enforcement Program

Recommendation:

It is the recommendation of Building Official to adopt the attached Title to the Vineyard Municipal Code creating into law the Administrative Code Enforcement Program (ACE).

Background/Discussion:

Enforcement of the Vineyard City Municipal Code throughout the community is an important public service that is provided by the City. Code enforcement is vital to the protection of the public's health, safety, welfare, and quality of life. A comprehensive code enforcement system that uses a combination of judicial and administrative remedies is critical to gaining compliance with City ordinances. The attached Title creates an Administrative Citation Program that is a comprehensive code enforcement system that will be used by City employees or designees to achieve compliance with the adopted codes and ordinances.

This Title establishes:

- The Administrative Code Enforcement Program (ACE)
- Enforcement authority and the requirements of such
- The ability to abate violations and redeem expenses
- The power to cite for violations of the City's codes and ordinances
- Citation and penalty amounts
- An Administrative Law Judge (ALJ) to preside over ACE
- Powers and proceedings for the ALJ
- The ability to appeal enforcement action and citations
- Procedures for hearings

The procedures established in this shall be in addition to criminal, civil, or any other remedy established by law that may be pursued to address the violation of the City Code or City ordinances.



VINEYARD TOWN COUNCIL STAFF REPORT

Alternatives:

Currently violations of City Code are remedied by either criminal citation, Nuisance Abatement in Title 8.08 or with a Notice of Noncompliance recorded to the property. Many City Code violations are not considered to be a criminal offense and therefore no criminal action or citation may be applied. The Nuisance Abatement Title incorporates penalties for violations that are nuisances but does not address violations that are not identified as a nuisance. Violations that are not identified as a criminal offense or a nuisance are given notice and if no action is taken a Notice of Noncompliance is recorded on the property. The ramifications of the Notice of Noncompliance are typically only encountered at the sale of a property, as such does not always result in correction of the violation or immediate action. The Council may elect to continue with these processes without adoption of the ACE program.

The ACE program may be modified to the level of intensity in which the Council deems necessary.

Fiscal Impact: The ACE program incorporates monetary citations associated with violations, however, the fees collected in result of such citations will have minimal fiscal impact.

Attachments: Please see draft Title 2.26:

ADMINISTRATIVE CODE ENFORCEMENT

Title 2.26 ADMINISTRATIVE CODE ENFORCEMENT

Chapters:

2.26.010	Establishment of Administrative Code Enforcement (ACE) Program.
2.26.020	General Provisions and Definitions.
2.26.030	General Authority and Offenses.
2.26.040	Administrative Code Enforcement Procedures.
2.26.050	Administrative Code Enforcement Hearing Procedures.
2.26.060	Administrative and Judicial Remedies.
2.26.070	Administrative Law Judge.

2.26.010 Establishment of Administrative Code Enforcement Program.

There is hereby established in the City of Vineyard City the Administrative Code Enforcement Program ("ACE Program"). The procedures to be followed in the administration of this program are located in Title 2.26 of the City Code. The ACE Program may be used by the City for the administrative enforcement of City Code violations in accordance with the procedures outlined in Title 2.26.

2.26.020 General Provisions and Definitions.

This Title shall be known as "Administrative Code Enforcement." This Title shall also be known as Title 2.26 of the Vineyard City Municipal Code. It may be cited and pleaded under either designation.

- A. **DECLARATION OF PURPOSE.** The City Council of Vineyard City finds that the enforcement of the Vineyard City Municipal Code throughout the community is an important public service. Code enforcement is vital to the protection of the public's health, safety, welfare, and quality of life. A comprehensive code enforcement system that uses a combination of judicial and administrative remedies is critical to gaining compliance with City ordinances.
- B. **SCOPE.** The provisions of this Title may be applied to all violations of the City Code. It has been designed as an additional remedy for the City to use in achieving compliance with its ordinances and regulations.

The provisions of this Title do not invalidate any other title or ordinance, but shall be read in conjunction with those titles and ordinances as an additional remedy available for enforcement of those ordinances.

- C. **CRIMINAL PROSECUTION RIGHT.** The City has sole discretion in deciding whether to file a civil or criminal case for the violation of any of its ordinances. The enactment of this administrative remedy shall in no way interfere with the City's right to prosecute City ordinance violations as criminal offenses. The City may use any of the remedies available under the law in both civil and criminal prosecution. Although most minor City Code violations should be enforced through this Title, the City may choose to file a criminal prosecution under any of the following circumstances:
 - 1. The violator has one prior violation of the City Code within the last year;
 - 2. The violation caused bodily injury, substantial bodily injury, or serious bodily injury to an individual, all of which shall have the same definition in Utah Code § 76-1-601;
 - 3. The violator, in a single criminal episode, violated one or more provisions of the Utah Criminal Code as well as one or more provisions of the City Code, and all violations are being charged as a single criminal episode as defined in Utah Code § 76-1-401;

4. The violation caused a significant health or safety risk to the public.

D. **NO MANDATORY DUTY – CIVIL LIABILITY.** It is the intent of the City Council that in establishing performance standards or establishing the authority to act by a City officer or employee, these standards shall not be construed as creating a mandatory duty if the officer or employee fails to perform his or her directed duty or duties.

E. **DEFINITIONS.** The following words and phrases, whenever used in this Title, shall be constructed as defined in this Section, unless a different meaning is specifically defined elsewhere in this Title and specifically stated to apply:

1. **“Abatement”** means any action the City may take on public or private property and any adjacent property as may be necessary to remove or alleviate a violation, including demolition, removal, repair, boarding, and securing or replacement of property.
2. **“Administrative Law Judge”** means the administrative law judge presiding over the Administrative Code Enforcement Program established pursuant to Title 2.26 of the City Code.
3. **“Administrative Law Judge Order”** means an order issued by an Administrative Law Judge. The order may include an order to abate the violation, pay civil penalties and administrative costs, or take any other action as authorized or required by this Title and City ordinances.
4. **“City”** means the area within the territorial city limits of Vineyard City.
5. **“City Code”** means any ordinance passed by the City Council and any other Title, ordinance, regulation, or amendment lawfully codified pursuant to Utah law including Utah Code § 10-3-707.
6. **“City Council”** means the City Council of Vineyard City.
7. **“Code Enforcement Coordinator”** means the person who has been designated by the City Manager of Vineyard City to coordinate and schedule hearings, mail out notices of hearings, send out notices of costs and itemized bills, and perform other duties as specified in this Title.
8. **“Code Enforcement Officer”** means any person designated by the City Manager with the responsibility to enforce the City Code and ordinances passed by the City Council and who performs the duties specified herein. The Code Enforcement Officer may or may not be a member of the Vineyard City Police Department. Code Enforcement Officers include the City Building Official, Planning Director, City Building and Engineering Inspectors, and their designees.
9. **“Code enforcement performance bond”** means a bond posted by a responsible

person to ensure compliance with the City Code, applicable state law, a judicial action, or an Administrative Law Judge Order.

10. **“Code enforcement tax lien”** means a lien recorded to collect outstanding civil penalties, administrative fees, and costs.
11. **“Financial institution”** means any person that holds a recorded mortgage or deed of trust on a property.
12. **“Good cause”** means incapacitating illness, death, lack of proper notice, unavailability due to unavoidable, unpreventable, or extenuating emergency or circumstance, imminent and irreparable injury, and acts of nature adverse to performing required acts.
13. **“Imminent life or safety hazard”** means any condition that creates a present, extreme, and immediate danger to life, property, health, or public safety.
14. **“Legal interest”** means any interest that is represented by a document, such as a deed of trust, quitclaim deed, mortgage, judgment lien, tax or assessment lien, mechanic’s lien, or other similar instrument that is recorded with the County Recorder.
15. **“Notice of compliance”** means a document issued by the City representing that a property complies with the requirements outlined in a notice of violation, administrative citation, or Administrative Law Judge Order.
16. **“Notice of satisfaction”** means a document or form that indicates that all outstanding civil penalties and costs have been either paid in full, or that the City has negotiated an agreed amount, or that a subsequent administrative or judicial decision has resolved the outstanding debt. In addition to the satisfaction of the financial debt, the property must also be in compliance with the requirements outlined in the notice of violation.
17. **“Notice of violation”** means a written notice prepared by a Code Enforcement Officer that informs a responsible person of code violations and orders them to take certain steps to correct the violations.
18. **“Oath”** includes affirmations and oaths.
19. **“Person”** means any person, firm, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, sergeant, officer, or employee of any of them, or any other entity that is recognized by law as the subject of rights or duties.
20. **“Property owner”** means the record owner of real property based on the county recorder's records.

21. **“Public nuisance”:**

- a. means any condition caused, maintained, or permitted to exist that constitutes a threat to the public’s health, safety, and welfare, or that significantly obstructs, injures, or interferes with the reasonable or free use of property in a neighborhood or community or by any considerable number of persons; and
- b. also has the same meaning as set forth in the Utah Code or Utah common law.

22. **“Responsible person”** means a person including the property owner and any person or entity, whether as owner, agent, or occupant, who commits, aids in committing, contributes to, causes, supports, retains, or permits a City Code violation in the City, regardless of whether that violation occurs on real property. Every successive owner or tenant of a property or premises who fails to correct a City Code violation upon or in the use of property or premises caused by a former owner or tenant is also a responsible person. In cases where there is more than one responsible person, the City may proceed against one, some, or all of them.

23. **“Substantial Evidence”** means relevant, reliable, factual, and credible evidence that is sufficient to convince a reasonable mind that a violation of the City Code has been committed. Substantial evidence does not mean that all or the majority of the evidence is in support of the decision made.

24. **“Written”** includes handwritten, typewritten, photocopied, computer printed, or facsimile.

F. **ACTS INCLUDE CAUSING, AIDING, OR ABETTING.** Whenever any act or omission is made unlawful in this Title, it shall include causing, permitting, aiding, or abetting such act or omission.

G. **SERVICE OF PROCESS.**

- 1. Whenever service is required to be given under this Title for enforcement purposes, a Code Enforcement Officer or the Code Enforcement Coordinator (or designees) shall serve the document by any of the following methods, unless otherwise provided:
 - a. Regular mail, postage prepaid, to the last known address of the owner(s) or other responsible person(s);
 - b. Posting the notice conspicuously on or in front of the property. If not inhabited, the notice must also be mailed as described in (a) above;
 - c. Personal service pursuant to Utah Rule of Civil Procedure 4; or
 - d. Published in a newspaper of general circulation where the identity or whereabouts of the person to be served are unknown and cannot be ascertained through reasonable diligence, where service is impracticable under the circumstances, or where there exists good cause to believe that the person to be served is avoiding service of process.
- 2. For violations of Title 15, or any land use ordinance as defined in Utah Code Section

10-9a-102, whenever service is required to be given under this Title for enforcement purposes, the document shall be served in accordance with Utah Code § 10-9a-803, as amended, which requires written notice, by mail or hand delivery, of each ordinance violation to the address of the owner of record on file in the office of the county recorder or person designated in writing by the owner of record as the owner's agent for the purpose of receiving notice of an ordinance violation.

3. Service by regular mail in the manner described above shall be deemed served three business days, not including the day it was mailed, after the date of mailing.
4. If service complies with the requirements of this Section, it shall be deemed a valid service even if a party claims not to have received the service and it shall not affect the validity of any proceedings taken under this Title.
5. The failure to serve all responsible person(s) shall not affect the validity of any proceedings.

H. **CONSTRUCTIVE NOTICE OF RECORDED DOCUMENTS.** Whenever a document is recorded with the County Recorder as authorized or required by this Title or applicable state codes, recordation shall provide constructive notice of the information contained in the recorded documents.

2.26.030 General Authority and Offenses.

A. GENERAL ENFORCEMENT AUTHORITY.

1. Whenever a Code Enforcement Officer finds that a violation of the City Code or City ordinances has occurred or continues to exist, the appropriate administrative enforcement procedure may be used as outlined in this Title.
2. So long as authorized in this Title, a Code Enforcement Officer has the authority and power necessary to gain compliance with the provisions of the City Code and City ordinances. These powers may include the power to issue notices of violation and administrative citations, inspect public and private property, abate violations on public and private property, and use whatever judicial and administrative remedies are available under the City Code or applicable state law.

B. ADOPTION OF POLICY AND PROCEDURES. The Administrative Law Judge is authorized to develop policies and procedures relating to the hearing procedures, scope of hearings, and subpoena powers subject to the requirements of this Title, City Code, and state law. The City Council shall determine other matters relating to the Administrative Code Enforcement Hearing Program.

C. AUTHORITY TO INSPECT.

1. A Code Enforcement Officer is authorized to enter upon any property or premises to ascertain whether the provisions of the City Code or City ordinances are being obeyed and to make any examinations and surveys as may be necessary in the performance of the enforcement duties. This may include the taking of photographs, samples, or other physical evidence.
2. All inspections, entries, examinations, and surveys shall be done in a reasonable manner based upon cause. Except as otherwise authorized in this Title, if the responsible person refuses to allow a Code Enforcement Officer to enter the property, then the Code Enforcement Officer shall obtain a search warrant or other judicial order.

D. POWER TO CITE. Each Code Enforcement Officer is authorized to cite any person whenever there is substantial evidence to believe that the person has committed a violation of the City Code or City ordinances.

E. FALSE INFORMATION OR REFUSAL PROHIBITED. It shall be unlawful for any person to willfully make a false statement or refuse to give his or her name or address with intent to deceive or interfere with a city employee when in the performance of his or her official duties under the provisions of this Title.

F. FAILURE TO OBEY A SUBPOENA. It is unlawful for any person to refuse or fail to obey a subpoena issued for an administrative code enforcement hearing. Failure to obey a subpoena constitutes contempt and may be prosecuted as an infraction.

2.26.040 Administrative Code Enforcement Procedures.

A. **AUTHORITY.** Any condition caused, maintained, or permitted to exist in violation of any provisions of the City Code or City ordinances that constitutes a violation may be abated by the City pursuant to the procedures set forth in this Chapter.

B. NOTICE OF VIOLATION; ADMINISTRATIVE ABATEMENT.

1. Whenever a Code Enforcement Officer determines that a violation of the City Code or City ordinances has occurred or continues to exist, the Code Enforcement Officer may choose to proceed under these administrative abatement procedures.
2. If the administrative abatement procedure is used, a notice of violation shall be issued to the responsible person(s). The notice of violation shall include the following information:
 - a. name of responsible person(s);
 - b. street address or location of violation;
 - c. date violation observed;
 - d. all codes or ordinances violated and an explanation as to how the code or ordinance was violated;
 - e. a statement explaining the type of remedial action required to permanently correct outstanding violations, which may include corrections, repairs, demolition, removal, or other appropriate action;
 - f. specific date to correct the violations listed in the notice of violation, which date shall be at least ten calendar days from the date of service;
 - g. explanation of the consequences if the responsible person fails to comply with the terms and deadlines as prescribed in the notice of violation, which may include criminal prosecution, civil penalties, administrative citations, revocation of permits, recordation of the notice of violation on the property, withholding of future municipal permits, abatement of the violation, costs, administrative fees, and any other legal remedies;
 - h. a statement that civil penalties will begin to accrue or be imposed immediately on expiration of the date to correct violations;
 - i. the amount of the civil penalty on each violation and a statement as to whether the penalty will accrue daily until the property is brought into compliance;
 - j. that only one notice of violation is required for any 12-month period, and that civil penalties or fines will begin or be imposed immediately upon any subsequent violations of the notice; and
 - k. procedures to request a hearing as provided in Section 20.04.03 and consequences for failure to request one.
3. The responsible person may request a hearing on renewed violations by following the same procedure as provided for in the original notice.
4. The notice of violation shall be served by one of the methods of service listed in Section 2.26.020 G of this Title.

5. More than one notice of violation may be issued against the same responsible person if it encompasses different dates or different violations.

C. FAILURE TO BRING PROPERTY INTO COMPLIANCE. If the responsible person fails to bring a violation into compliance within the time specified in the Notice of Violation, civil penalties as provided in Section 2.26.020 H shall be owed to the City.

D. INSPECTION.

1. It shall be the duty of the responsible person served with a Notice of Violation to request an inspection when his or her property has been brought into compliance. It is prima facie evidence that the violation remains on the property if no inspection is requested.
2. Civil penalties accumulate daily until the property has been inspected and a notice of compliance is issued.
3. Reinspection fees shall be assessed if more than one inspection is necessary.

E. EMERGENCY ABATEMENT.

1. Authority.

- a. Whenever the City Manager, Building Official or Fire Marshal determines that an imminent life or safety hazard exists that requires immediate correction or elimination, the City may exercise the following powers without prior notice to the responsible person:
 - i. order the immediate vacation of any tenants, and prohibit occupancy until all repairs are completed;
 - ii. post the premises as unsafe, substandard, or dangerous;
 - iii. board, fence, or secure the building or site;
 - iv. raze and grade that portion of the building or site to prevent further collapse, and remove any hazard to the general public;
 - v. make emergency repairs as necessary to eliminate any imminent life or safety hazard; or
 - vi. take any other action appropriate to eliminate the emergency.
- b. The City has the authority, based on cause, to enter the property without a search warrant or court order to accomplish the above listed acts to abate the safety hazard.
- c. The responsible person shall be liable for all costs associated with the abatement of the life safety hazard. Costs may be recovered pursuant to this Title.

2. Procedures.

- a. The City shall pursue only the minimum level of correction or abatement as necessary to eliminate the immediacy of the hazard. Costs incurred by the City

during the emergency abatement process shall be assessed and recovered against the responsible person through the procedures outlined in Chapter 2.26.060 of this Title.

- b. The City may also pursue any other administrative or judicial remedy to abate any remaining violations.

3. Notice of Emergency Abatement.

- a. After an emergency abatement, the City shall notify the owner or responsible person of the abatement action taken.
- b. The notice shall be served within ten days of completion of the abatement.

F. DEMOLITIONS.

1. **Authority.** Whenever the City Manager, Building Official or Fire Marshal determines that a property or building requires demolition, any one of them may order demolition or removal of the offending structure, or exercise any or all of the powers listed in Section 2.26.040 E, once appropriate notice has been given to a responsible person pursuant to applicable building codes, fires codes, and state law. The responsible person shall be liable for all costs associated with the demolition. Costs may be recovered pursuant to this Title.
2. **Procedures.** Once all of the notice requirements of the applicable laws have been met, the property will be abated pursuant to the abatement remedy. Other applicable remedies may also be pursued.

G. ADMINISTRATIVE CITATIONS.

1. Declaration of Purpose.

- a. The City Council finds that there is a need for an alternative method of enforcement for minor violations of the City Code. The City Council further finds that an appropriate method of enforcement is an administrative citation program.
- b. The procedures established herein shall be in addition to criminal, civil, administrative, or any other legal remedy established by law that may be pursued to address violations of the City Code or City ordinances.

2. Authority.

- a. Any person violating any provision of the City Code or City ordinances may be issued an administrative citation by a Code Enforcement Officer as provided in this Section.
- b. A civil penalty shall be assessed by means of an administrative citation issued by the Officer and shall be payable directly to the City Treasurer's Office.
- c. Penalties assessed by means of an administrative citation shall be collected in accordance with the procedures specified in Chapter 2.26.060 of this Title.

3. Procedures.

- a. Upon discovering any violation of the City Code or City ordinances, a Code

Enforcement Officer may issue an administrative citation to the responsible person in the manner prescribed in this Section.

- b. The administrative citation shall be issued on a form meeting the requirements of subsection 2.26.040 G-4 of this Title.
 - c. Once the responsible person(s) has been located, the Code Enforcement Officer shall attempt to obtain the signature of that person(s) on the administrative citation. If the responsible person(s) refuses or fails to sign the administrative citation, the failure or refusal shall not affect the validity of the citation and subsequent proceedings. If the Code Enforcement Officer is unable to locate the responsible person for the violation, then the administrative citation shall be mailed to the responsible person(s) in the manner prescribed in Section 2.26.020 G of this Title.
 - d. Except for Title 12 violations as specified in Section 2.26.020 G, if no one can be located at the property, then the administrative citation may be posted in a conspicuous place on or near the property and a copy subsequently mailed to the responsible person(s) in the manner prescribed in Section 2.26.020 G of this Title.
 - e. The administrative citation shall also contain the signature of the Code Enforcement Officer.
 - f. The failure of any person with an interest in the property to receive notice shall not affect the validity of any proceedings taken under this Part, except for Title 12 violations as specified in Section 2.26.020 G.
4. **Contents of Administrative Citation.** An administrative citation shall include:
- a. the date and location of the violations and the approximate time the violations were observed;
 - b. the Code sections violated and the subject matter of those sections;
 - c. the amount of penalty imposed for the violations;
 - d. an explanation as to how the penalty shall be paid, the time period by which the penalty shall be paid, and the consequences of failure to pay the penalty;
 - e. notice of the right and the procedures to request a hearing;
 - f. the signature of the Code Enforcement Officer and the signature of the responsible person, if he or she can be located, as outlined in Section 2.26.040 G-3(c) of this Title; and
 - g. any other information deemed helpful or necessary by the Code Enforcement Administrator.

H. CIVIL PENALTIES, FINES, AND FEES.

1. **In General.** As specified in the notice of violation or administrative citation, civil penalties may be assessed on a daily basis until the violation is corrected or immediately if an administrative citation is issued. Interest shall be assessed per City policy on all outstanding civil penalties balances until the case has been paid in full. The City may use one form for both notices of violation and administrative citations. Payment of the penalties, fines, and fees shall not excuse the failure to correct the violations, nor shall it bar further enforcement action by the City if the violation is not corrected.

2. **Amount.** Unless specified otherwise in the more specific section of the City Code or the City's Consolidated Fee Schedule, the penalties shall be as follows:
 - a. Fees for General City Code Violations:
 - i. Administrative Citations:
 - A. First Offense: \$100
 - B. Second Offense (within one calendar year from first offense): \$200
 - C. Third (or more) Offense (within one calendar year from first offense): \$400
 - ii. Civil Penalties per Notice of Violation or Administrative Law Judge Order:
 - A. \$25 per day per violation, accruing until the violation is brought into compliance
 - b. Hearing Fee for Default Hearings or Administrative Code Enforcement Hearings: \$100 if Responsible Person is unsuccessful or fails to appear after proper notice.
3. **Non-Payment of Citation.**
 - a. If the responsible person fails to make any payments within the time period specified in the notice, the City may send additional notices, file a small claims action, refer the matter to a collection agency, or pursue any remedy in law or equity.
 - b. Interest may be assessed on all outstanding amounts at a rate of up to 20% per annum.
 - c. The City has the authority to collect all costs associated with the filing of such actions, including administrative fees and service costs.
4. **Modification of Civil Penalties.**
 - a. Upon completion of the required action pursuant to the notice of violation, administrative citation, or administrative enforcement order, the Administrative Law Judge may modify the civil penalties on a finding of good cause as defined in this Title.
 - b. Civil penalties may be waived or modified by the Administrative Law Judge if there is a finding of good cause based on the responsible person's claim of nonconforming use, as defined per state law, or conditional use, as defined by the City Code, and:
 - i. the City's ability to verify the claim; or
 - ii. the responsible person's filing of an application for either use before the date of the Notice of Violation or Administrative Citation.
 - c. Reductions and Waivers for Animal Violations.
 - i. The Code Enforcement Coordinator and Administrative Law Judge may grant reductions and waivers of fines for animal violations under the following circumstances:
 - A. \$25.00 reduction may be given for first time offenders with good cause.
 - B. Offenders with a history of non-payment should generally not receive a reduction or waiver of fines or fees.

- C. At the City's discretion, flexible monthly plans may be set up according to responsible person's needs.

2.26.050 Administrative Law Judge.

1. An Administrative Law Judge ("ALJ") shall preside over hearings and proceedings for the ACE Program in the City.
2. The City Manager shall act as the ALJ unless the position is otherwise appointed by the City Manager. If the position of the ALJ is appointed, the City Manager shall determine, if any, the salary, compensation, and benefits of the ALJ.
3. The ALJ position may be a merit, volunteer, or contract position and is subject to all personnel rules.
4. The ALJ may not be disciplined for any decision made while conducting a hearing, as long as the decision is lawful and made in accordance with City ordinances, City policy and procedure, and policies and ordinances pertaining to the ACE Program.
5. The ALJ shall be trained and knowledgeable in the City Code, due process, rules of evidence, civil procedure, administrative law and procedure, nuisance law, and zoning law.
6. The ALJ position is not a supervisory position. The ALJ is supervised by the City Manager or designee.

2.26.060

Administrative Code Enforcement Hearing Procedures.

- A. **DECLARATION OF PURPOSE.** The City Council finds that there is a need to establish uniform procedures for administrative code enforcement hearings conducted pursuant to this Title. It is the purpose and intent of the City Council to afford due process of law to any person who is directly affected by an administrative action. Due process of law includes notice, an opportunity to participate in the administrative hearing including the opportunity to call witnesses, present evidence, and cross-examine witnesses, and an explanation of the reasons justifying the administrative action. These procedures are also intended to establish a forum to efficiently, expeditiously, and fairly resolve issues raised in any administrative code enforcement action.
- B. **POLICIES AND PROCEDURES OF HEARINGS.** The Administrative Law Judge may develop policies and procedures to regulate the hearing process for any violation of the City Code that is handled pursuant to the administrative abatement procedures, the emergency abatement procedures, the demolition procedures, or the administrative citation procedures. Such policies and procedures shall be consistent with this Title 2.26 and other City ordinances and codes.

C. POWERS OF THE ADMINISTRATIVE LAW JUDGE.

1. The Administrative Law Judge has the authority to hold hearings, determine if violations of city ordinances exist, order compliance with city ordinances, and enforce compliance as provided in this Title on any matter subject to the provisions of the Title.
2. The Administrative Law Judge may continue a hearing based on good cause—as defined in this Chapter—shown by one of the parties to the hearing. The Administrative Law Judge must enter on the record the reason for granting a continuance.
3. The Administrative Law Judge may issue subpoenas for witnesses, documents, and other evidence where such is deemed necessary to decide the issues at the hearing. All costs related to the subpoena, including witness and mileage fees, shall be borne by the party requesting the subpoena. The Administrative Law Judge shall develop policies and procedures relating to the issuance of subpoenas in administrative code enforcement hearings, including the form of the subpoena and related costs. In the absence of any adopted policies, the Administrative Law Judge shall follow the Utah Rules of Civil Procedure.
4. The Administrative Law Judge has continuing jurisdiction over the subject matter of an administrative code enforcement hearing for the following purposes:
 - a. granting a continuance;
 - b. ordering compliance by issuing an Administrative Law Judge Order using any

- remedies available under the law; and
- c. ensuring compliance of that order, which includes the following powers:
 - i. to authorize the City to enter and abate a violation,
 - ii. to modify an Administrative Law Judge Order, or
 - iii. to grant a new hearing where extraordinary circumstances exist.
 5. The Administrative Law Judge has the authority to require the responsible person to post a code enforcement performance bond to ensure compliance with an Administrative Law Judge Order.
 6. The Administrative Law Judge is subject to disqualification for bias, prejudice, interest, or any other reason for which a judge may be disqualified in a court of law. Rules and procedures for disqualification and replacement shall be in accordance with the Utah Rules of Civil Procedure.

D. REQUEST FOR ADMINISTRATIVE CODE ENFORCEMENT HEARING.

1. A person served with one of the following documents or notices has the right to request an administrative code enforcement hearing if the request is filed within ten calendar days from the date of service:
 - a. notice of violation;
 - b. notice of itemized bill for costs;
 - c. administrative citation; or
 - d. notice of emergency abatement.
2. The request for hearing shall be made in writing and filed with the Code Enforcement Coordinator, who then shall provide a copy of the request to the Administrative Law Judge and serve the request to all parties. The request shall contain the case number, the address of the violation, the signature of the responsible party, and the reason for the hearing including justifications for the offense, defenses, and requests for waiver or reduction in fines.
3. As soon as practicable after receiving the written notice of the request for hearing, the Code Enforcement Coordinator shall schedule a date, time, and place for the hearing.
4. Failure to request a hearing as provided shall constitute a waiver of the right to a hearing and a waiver of the right to challenge the action.

E. NOTIFICATION OF ADMINISTRATIVE CODE ENFORCEMENT HEARING.

1. Written notice of the date, time, and place of the hearing shall be served by the Code Enforcement Coordinator or Code Enforcement Officer to the responsible person as soon as practicable prior to the date of the hearing.

2. The format and contents of the hearing notice shall be in accordance with rules and policies promulgated by the Administrative Law Judge. In the absence of such rules, the format and contents of the hearing shall be drafted by the Code Enforcement Coordinator so as to be consistent with this Title 2.26.
3. The notice of hearing shall be served by any of the methods of service listed in Section 2.26.020 G of this Title.

F. DEFAULT HEARINGS AND ORDERS.

1. If the responsible person fails to request an administrative code enforcement hearing before the expiration of the ten day deadline, the case shall be set for a default hearing by the Code Enforcement Coordinator. The Code Enforcement Coordinator shall notify the responsible person of the date, time, and place of the hearing by one of the methods listed in Section 2.26.020 G.
2. A default hearing shall also be scheduled for all cases that have outstanding or unpaid civil penalties, fines, fees, or costs due to the City before collection, if a hearing on that case has not already been held.
3. At the default hearing, the responsible person shall have the opportunity to present evidence to show that good cause exists, as defined in the Title, to do one or more of the following:
 - a. waive or reduce the fines which have accumulated;
 - b. postpone an abatement action by the City; or
 - c. excuse the responsible person's failure to request a hearing within the ten-day period.
4. If the evidence shows that the violations existed, the Administrative Law Judge shall enter an order requiring abatement of the violations and the payment of all fines, costs, and fees. Fines and costs shall run until the City issues a notice of compliance stating when the violations were actually abated. The order by the Administrative Law Judge shall not suspend further accrual of fines and costs.

G. PROCEDURES AT ADMINISTRATIVE CODE ENFORCEMENT HEARINGS.

1. Administrative code enforcement hearings are intended to be informal in nature. Formal rules of evidence and discovery do not apply; however, an informal exchange of discovery may be required. The request for discovery must be in writing and filed at least 10 business days before the hearing. Failure to request discovery shall not be a basis for a continuance.
2. Complainant information is protected and shall not be released unless the complainant is a witness at the hearing.

3. The procedure and format of the administrative hearing shall follow the procedures promulgated by the Administrative Law Judge.
4. The City bears the burden of proof at an administrative code enforcement hearing to establish the existence of a violation of the City Code or City ordinances.
5. The standard of proof to be used by the Administrative Law Judge in deciding the issues at an administrative hearing is whether there is substantial evidence in the record that the violations exist and that the person before the Judge is the responsible person.
6. Hearsay evidence, as defined by the Utah Rules of Evidence, is admissible so long as such hearsay evidence is not the only evidence relied upon by the Administrative Law Judge.
7. Each party shall have the opportunity to cross-examine witnesses that are in attendance and present evidence in support of his or her case. A written declaration signed under penalty of perjury may be accepted in lieu of a personal appearance so long as the declaration is not the only evidence relied upon by the Administrative Law Judge. Testimony may be given by telephone or other electronic means so long as the testimony by telephone or electronic means is not the only evidence relied upon by the Administrative Law Judge.
8. All hearings are open to the public. They shall be recorded by audio recording.
9. Hearings may be held at the location of the violation if the Administrative Law Judge so chooses and means are provided for an audio recording of the proceeding.
10. The responsible person has a right to be represented by an attorney.
11. No new hearing shall be granted, unless the Administrative Law Judge determines that extraordinary circumstances exist which justify a new hearing.

H. FAILURE TO ATTEND ADMINISTRATIVE CODE ENFORCEMENT

HEARINGS. Any party whose property or actions are the subject of any administrative code enforcement hearing and who fails to appear at the hearing is deemed to have waived the right to a hearing, which will result in a default judgment for the City provided that proper notice of the hearing has been provided. The City shall not be required to put on evidence or prove that a violation was committed by the Responsible Person in such an event, and an entry of a default judgment shall have the same effect as if there was a judgment on the merits of the case.

I. ADMINISTRATIVE LAW JUDGE ORDER.

1. The parties may enter into a stipulated agreement, which must be signed by both

parties or verbally stipulated on the record during the administrative code enforcement hearing. This agreement or stipulation shall be entered as the Administrative Law Judge Order. Entry of this agreement or stipulation shall constitute a waiver of the right to a hearing and the right to appeal.

2. Once all evidence and testimony are completed, the Administrative Law Judge shall issue an Administrative Law Judge Order that affirms, modifies, or rejects the notice, citation, or action by the Code Enforcement Officer. The Administrative Law Judge may increase or decrease the total amount of civil penalties and costs that are due pursuant to the City's fee schedule and the procedures in this Title.
3. The Administrative Law Judge may order the City to enter the property and abate all violations, which may include removing animals kept in violation of the City Code.
4. The Administrative Law Judge may revoke a kennel permit, an animal license, or the right to possess animals as provided in the City Code.
5. As part of the Administrative Law Judge Order, the Administrative Law Judge may reduce or stay civil penalties on the condition that the responsible person complete compliance by specified deadlines.
6. The Administrative Law Judge may schedule subsequent review hearings as may be necessary or as requested by a party to the hearing to ensure compliance with the Administrative Law Judge Order.
7. The Administrative Law Judge may order the responsible person to post a performance bond to ensure compliance with the order.
8. The Administrative Law Judge Order shall become final on the date of the signing of the order.
9. The Administrative Law Judge Order shall be served on all parties by any one of the methods listed in Section 2.26.020 G of this Title.

J. FAILURE TO COMPLY WITH ORDER.

1. After the Administrative Law Judge issues an Administrative Law Judge Order, the Code Enforcement Officer and Administrative Law Judge may monitor the violations and determine compliance.
2. Upon the failure of the responsible person to comply with the terms and deadlines set forth in the Administrative Law Judge Order, the City may use all appropriate legal means to recover the civil penalties and administrative costs to obtain compliance.

K. ADMINISTRATIVE ENFORCEMENT APPEALS.

1. Any person adversely affected by any decision made in the exercise of the provisions of this Chapter may file a petition for review of the decision or order to district court within thirty days after the decision is rendered.
2. No person may challenge in district court the Administrative Law Judge's decision until that person has exhausted his or her administrative remedies herein.
3. Unless otherwise provided by the Utah Rules of Civil Procedure or local court rules, within 120 days after submitting the petition, the party petitioning for appeal shall request a copy of the record of the proceedings, including transcripts of hearings when necessary. The Code Enforcement Coordinator shall not submit copies of files or transcripts to the reviewing court until the party petitioning for appeal has paid all required costs. The petitioning party's failure to properly arrange for copies of the record, or to pay the full costs for the record, within 180 days after the petition for review was filed shall be grounds for dismissal of the petition, unless otherwise provided by the Utah Rules of Civil Procedure or local court rules.
4. If a transcript of a hearing cannot be prepared because the tape recording is incomplete or unintelligible, the district court may, in its discretion, remand the matter to the Administrative Law Judge for a supplemental proceeding to complete the record. The district court may limit the scope of the supplemental proceeding to issues that, in the court's opinion, need clarification.
5. The district court's review is limited to the record of the administrative decision that is being appealed. The court shall not accept nor consider any evidence that is not part of the record of that decision.
6. The courts shall:
 - a. presume that the Administrative Law Judge's decision and orders are valid; and
 - b. review the record to determine whether or not the decision was arbitrary, capricious, or illegal.

A. RECORDATION OF NOTICES OF VIOLATION AND ADMINISTRATIVE LAW JUDGE ORDERS.**2. Declaration of Purpose.**

- a. The City Council finds that there is a need for alternative methods of enforcement for violations of the City Code and City ordinances that are found to exist on real property. The City Council further finds that an appropriate method of enforcement for these types of violations is the issuance and recordation of notices of violation and Administrative Law Judge Orders.
- b. The procedures established in this shall be in addition to criminal, civil, or any other remedy established by law that may be pursued to address the violation of the City Code or City ordinances.

3. Authority. Whenever a Code Enforcement Officer or Code Enforcement Coordinator determines that a property or violation has not been brought into compliance as required in this Title, the Code Enforcement Coordinator has the authority to record the notice of violation or Administrative Law Judge Order with the Recorder's Office of Utah County.**4. Procedures for Recordation.**

- a. If a Code Enforcement Officer issues a notice of violation or administrative citation to a responsible person, and the property remains in violation after the deadline established in the notice of violation or is not corrected after the administrative citation is issued, and no request for an administrative hearing has been filed, the Code Enforcement Coordinator shall record a notice of violation with the Recorder's Office of Utah County.
- b. If an administrative hearing is held, and an order is issued in the City's favor, the Code Enforcement Coordinator shall record the Administrative Law Judge's Administrative Law Judge Order with the Recorder's Office of Utah County.
- c. The recordation shall include the name of the property owner, the parcel number, the legal description of the parcel, a copy of the notice of violation, administrative citation, or order, and any other relevant information.
- d. The recordation does not encumber the property, but merely places future interested parties on notice of any continuing violation found upon the property.

4. Service of Notice of Recordation. A notice of the recordation shall be served on the responsible person and the property owner pursuant to any of the methods of service set forth in Section 2.26.020 G of this Title.**5. Failure to Request.** The failure of any person to file a request for an administrative code enforcement hearing when served with a notice of violation shall constitute a waiver of the right to an administrative hearing and shall not affect the validity of the recorded notice of violation.

6. Notice of Compliance—Procedures.

- a. When the violations have been corrected, the responsible person or property owner may request an inspection of the property from a Code Enforcement Officer.
- b. Upon receipt of a request for inspection, the Code Enforcement Officer shall reinspect the property as soon as practicable to determine whether the violations listed in the notice of violation, administrative citation, or the order have been corrected, whether all necessary permits have been issued, and/or whether final inspections have been performed.
- c. The Code Enforcement Officer, in conjunction with the Code Enforcement Coordinator, shall serve a notice of compliance to the responsible person or property owner in the manner provided in Section 20.01.09 of this Title if the Code Enforcement Officer determines that:
 - i. all violations listed in the recorded notice of violation or order have been corrected;
 - ii. all necessary permits have been issued and finalized;
 - iii. all civil penalties, fines, and costs assessed against the property have been paid or satisfied; and/or
 - iv. the party requesting the notice of compliance has paid all administrative fees and costs.
- d. If a request to issue a notice of compliance is denied, then, upon request, the Code Enforcement Officer, in conjunction with the Code Enforcement Coordinator, shall serve the responsible person with a written explanation setting forth the reasons for the Code Enforcement Officer's denial. The written explanation shall be served by any of the methods of service listed in Section 20.01.09 of this Title.

7. Withholding the Issuance of Municipal Permits and Business Licenses.

- a. The City may withhold permits and business licenses until a notice of compliance has been issued by a Code Enforcement Officer.
- b. The City may withhold business licenses, permits for kennels, permits for any alteration, repair, or construction pertaining to any existing or new structures or signs on the property, and any permits pertaining to the use and development of the real property or the structure.
- c. The City may, in its sole discretion, issue permits or business licenses that are necessary to obtain a notice of compliance or that are necessary to correct serious health and safety violations.

- 8. Cancellation of Recorded Notice of Violation or Administrative Law Judge Order.** In conjunction with the Code Enforcement Officers, the Code Enforcement Coordinator shall record the notice of compliance with the County Recorder's Office. Recordation of the notice of compliance shall have the effect of canceling the recorded notice of violation, administrative citation, or recorded Administrative Law Judge Order but shall not cancel any outstanding fines, fees, or costs.

B. ABATEMENT OF VIOLATION.

1. Authority to Abate.

- a. A Code Enforcement Officer is authorized to enter upon any property or premises to abate the violation of the City Code and City ordinances.
- b. A Code Enforcement Officer is authorized to assess all costs for the abatement to the responsible person and use any remedy available under the law to collect the costs.
- c. If additional abatement is necessary within two years, treble costs may be assessed against the responsible person(s) for the actual abatement.

2. Procedures for Abatement.

- a. Once the procedures set forth in this Title have been complied with, the violation may be abated by City personnel or by a private contractor acting under the direction of the City.
- b. These City personnel or private contractors may enter upon private property in a reasonable manner to abate the ordinance violation as specified in the notice of violation or Administrative Law Judge Order.
- c. If the responsible person abates the violation before the City performs the actual abatement pursuant to a notice of violation, administrative citation, or Administrative Law Judge Order, a Code Enforcement Officer may still assess all costs incurred by the City against the responsible person.
- d. When the abatement is completed, a report describing the work performed and an itemized account of the total abatement costs shall be prepared by the Code Enforcement Officer overseeing the abatement. The report shall contain the names and addresses of the responsible persons of each parcel and the tax parcel numbers.
- e. The Code Enforcement Coordinator shall serve the notice of costs and the itemized bill of costs through any of the means in Section 20.01.09. The notice shall demand full payment within twenty days to the City Treasurer.

C. RECOVERY OF COSTS.

1. Declaration of Purpose.

- a. The City Council finds that there is a need to recover costs incurred by Code Enforcement Officers and other City personnel who spend considerable time inspecting and reinspect properties throughout the City in an effort to ensure compliance with the City Code or City ordinances.
- b. The City Council further finds that the assessment of costs is an appropriate method to recover expenses incurred for actual costs of abating violations, reinspection fees, filing fees, attorney fees, hearing officer fees, title search, and any additional actual costs incurred by the City for each individual case.
- c. The assessment and collection of costs shall not preclude the imposition of any administrative or judicial civil penalties or fines for violations of the City Code or City ordinances.

2. Authority.

- a. Whenever actual costs are incurred by the City on a property to obtain compliance with provisions of the City Code and City ordinances, a Code Enforcement Officer or Code Enforcement Coordinator may assess costs against the responsible person.
 - b. Once a notice of violation has been issued, the property shall be inspected one time if the responsible person requests an inspection in writing. Any additional inspections shall be subject to reinspection fees pursuant to the City fee schedule.
3. **Notification of Assessment of Reinspection Fees.**
 - a. Notification of reinspection fees may be provided in the notice of violation served to the responsible person.
 - b. Reinspection fees assessed or collected pursuant to this Section shall not be included in any other costs assessed.
 - c. The failure of any responsible person to receive notice of the reinspection fees shall not affect the validity of any other fees imposed under this Section.
4. **Failure to Timely Pay Costs.** The failure of any person to pay assessed costs by the deadline specified in the invoice shall result in a late fee pursuant to City ordinances.

D. **ADMINISTRATIVE FEES.** The Code Enforcement Officers and Code Enforcement Coordinator are authorized to assess administrative fees for costs incurred in the administration of the code enforcement program, such as investigation of violations, preparation for hearings, hearings, and the collection process. The fee assessed shall be the amount set forth in this Title or in the City fee schedule.

E. **INJUNCTIONS.** In addition to any other remedy provided under the City Code or state codes, including criminal prosecution or administrative remedies, any provision of the City Code may be enforced by injunction issued in the Fourth District Court upon a suit brought by the City.

F. PERFORMANCE BONDS.

1. As part of any notice, order, or action, the Administrative Law Judge has the authority to require any responsible person to post a performance bond to ensure compliance with the City Code, City ordinances, or any judicial action.
2. If the responsible person fails to comply with the notice, order, or action, the bond will be forfeited to the City.

G. CODE ENFORCEMENT TAX LIENS.

1. **Declaration of Purpose.** The City Council finds that recordation of code enforcement tax liens will assist in the collection of civil penalties, administrative

costs, and administrative fees assessed by the administrative code enforcement hearing program or judicial orders and lessen the cost to City taxpayers of code enforcement. The City Council further finds that collection of civil penalties, costs, and fees assessed for code enforcement violations is important in deterring future violations and maintaining the integrity of the City's code enforcement system. The procedures established in this Section shall be used to complement existing administrative or judicial remedies that may be pursued to address violations of the City Code or City ordinances.

2. Tax Liens for Abatement Costs.

- a. Once the City has abated a property for weeds, garbage, refuse, or unsightly or deleterious objects or structures, the Code Enforcement Coordinator shall prepare three copies of the Itemized Statement of Costs incurred in the removal and destruction of the violations and deliver them to the City Treasurer within ten days after completion of the work of removing the violations.
- b. The Code Enforcement Coordinator shall serve the Responsible Person by any of the methods in Section 2.26.020 G a copy of the Itemized Statement of Costs informing him or her that a code enforcement tax lien is being recorded for the amount of actual costs of abatement. Payment shall be due within twenty calendar days from the date of mailing.
- c. Upon receipt of the Itemized Statement of costs, the City Treasurer shall record a Code Enforcement Tax Lien against the property with the county treasurer's office.
- d. The failure of any person with a financial interest in the property to actually receive the notice of the lien shall not affect the validity of the lien or any proceedings taken to collect the outstanding costs of abatement.

3. Tax Liens for Judgments. Once a judgment has been obtained from the appropriate court imposing costs, fines, or fees against the responsible person, the Code Enforcement Coordinator may record a code enforcement tax lien against any real property owned by the responsible person.

4. Cancellation of Code Enforcement Tax Lien.

- a. Once payment in full is received for the outstanding civil penalties and costs, or the amount is deemed satisfied pursuant to a subsequent administrative or judicial order, the Code Enforcement Coordinator shall either record a notice of satisfaction of judgment, or provide the property owner or financial institution, through any of the means of service in Section 20.01.09, with the notice of satisfaction of judgment so that it can record this notice with the county recorder's office.
- b. The notice of satisfaction of judgment shall include the same information as provided for in the original code enforcement tax lien.
- c. Such notice of satisfaction of judgment shall cancel the code enforcement tax lien.

H. RECOVER OF COSTS BY WRIT OF EXECUTION. After obtaining a judgment, the

City may collect the obligation by use of all appropriate legal means. This may include the execution on personal property owned by the responsible person by filing a writ with the applicable court.

- I. **RECOVERY OF COSTS BY WRIT OF GARNISHMENT.** After obtaining a judgment, the City may collect the obligation by use of all appropriate legal means. This may include the garnishment of paychecks, financial accounts, and other income or financial assets by filing a writ with the applicable court.